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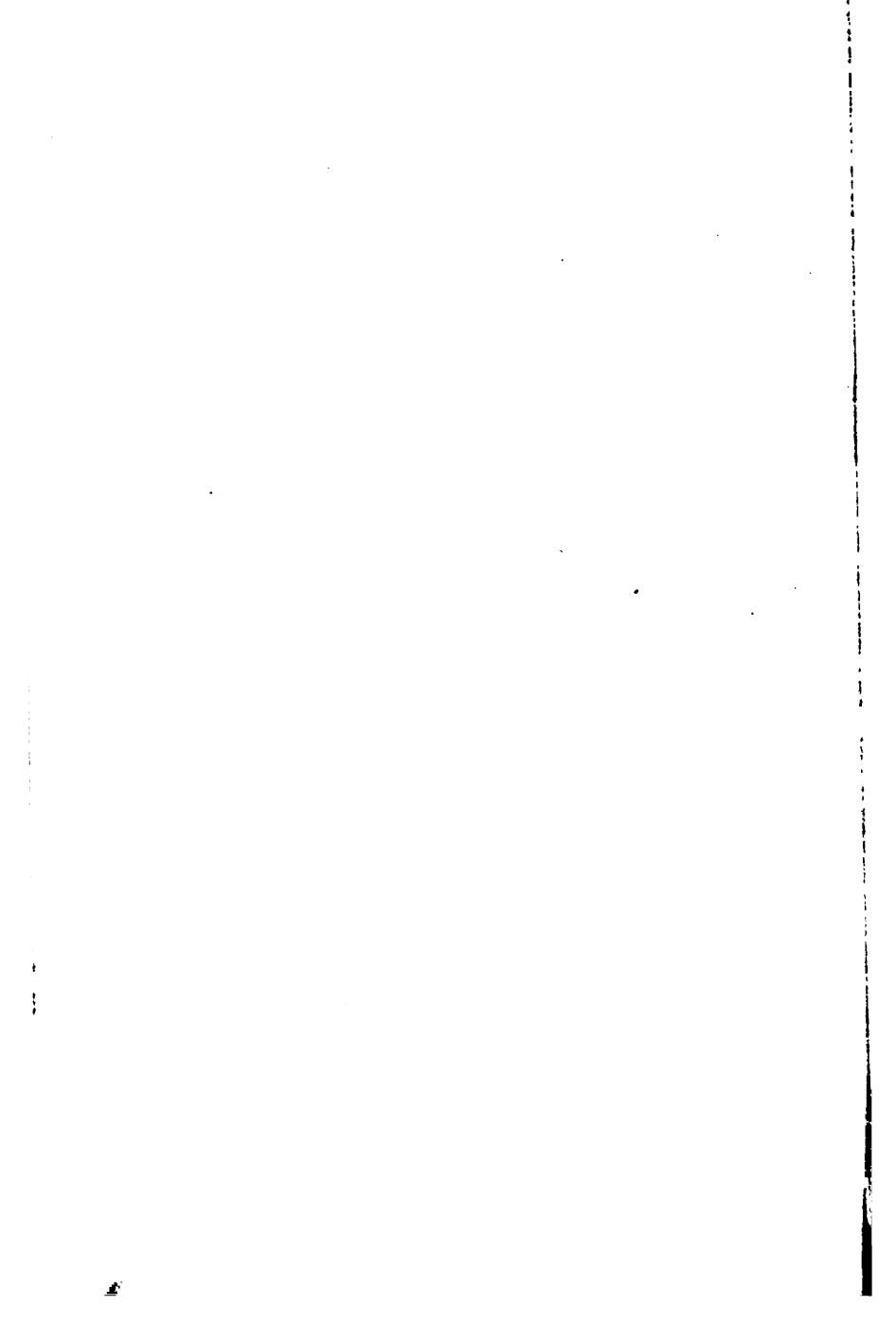
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# THE JUGGLERS

EZRA BRUDNO



NB-  
Brudno



## **THE JUGGLERS**

**WORKS BY THE SAME AUTHOR**

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**THE FUGITIVE**

**THE LITTLE CONSCRIPT**

**THE TETHER**

**ONE OF US**

# THE JUGGLERS

BY  
EZRA BRUDNO



1920  
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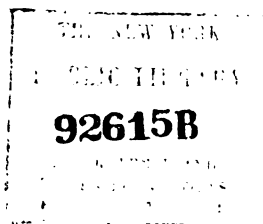
*To*

**THE MOST PERFECT HELPMATE**

**MY WIFE**

**THIS STORY IS DEDICATED**

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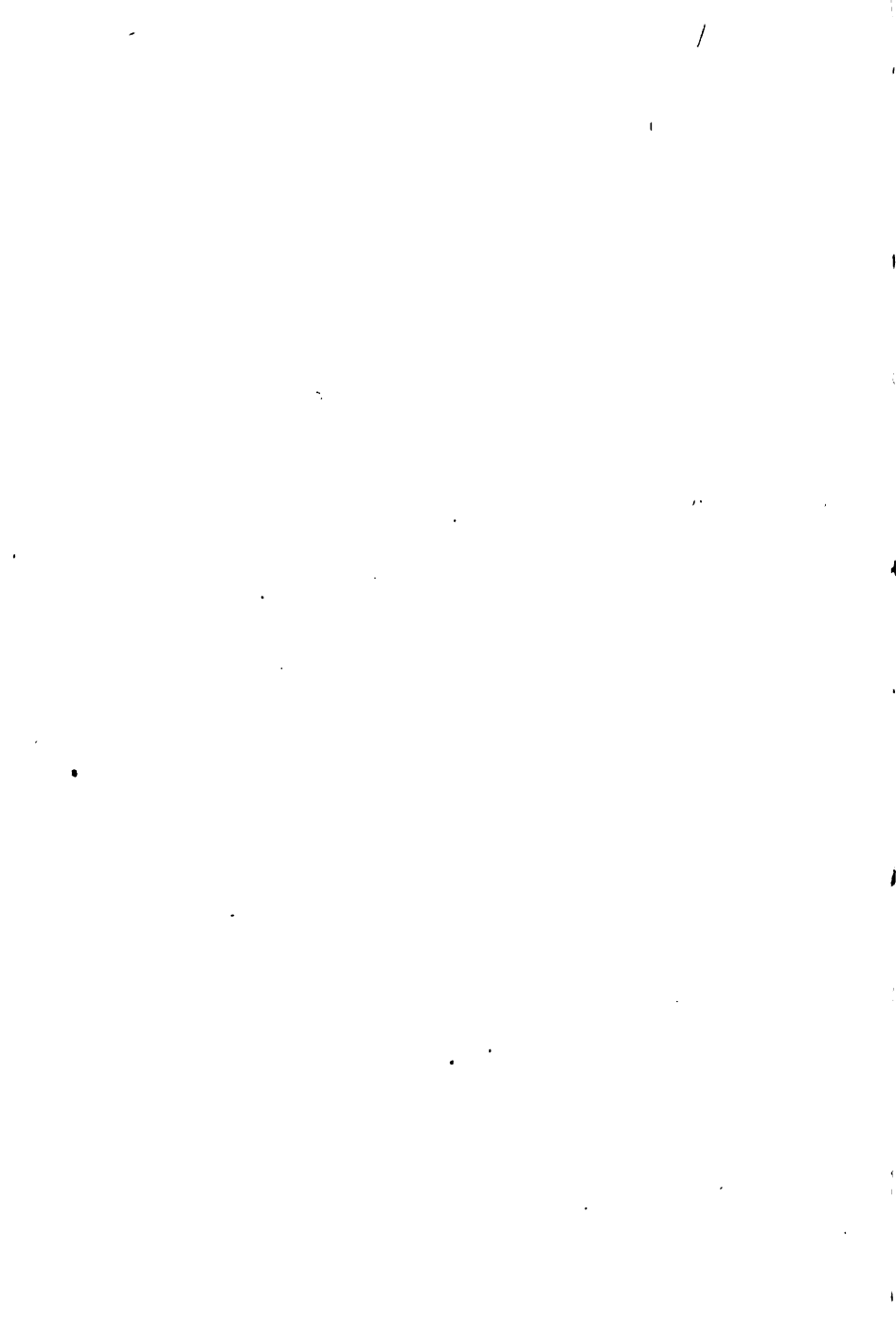
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To

THE MOST PERFECT HUMANITY

MY WIFE

THIS STORY IS DEDICATED



## **THE JUGGLERS**



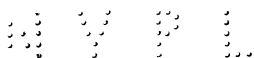
# THE JUGGLERS

## I

I SEE it clearly now — now when the errors of a decade, like the memory of a crime unatoned, persist in haunting me. Yes, it is ever thus with Nature. First she tempts one in a thousand different ways, and after she has trapped her victim resorts to rebuke. Why does she not sound a note of warning when there is still a chance of escape? Why does she not — but why ask questions? Why philosophize? I wish to tell my story without homilies, without preachments. Truth needs no parables.

## II

ONE humid summer day I arrived in a mid-western city well fortified for conquest; world conquest, I then thought. My armor consisted of a college degree and a certificate attesting my right to practice law. I had chosen this city partly because a boyhood friend of my father's lived here and partly because I had been impressed by the aphorism of a successful American — spoken of as a merchant prince — that success thrives on smoke, dirt and noise. The city of my choice embodied these three graces to a marked degree. Its inhabitants boasted of its smoke, of its dirt, of its noise. The local orators eloquently, if not elegantly, spoke of its vomiting





chimneys, of its fire-spitting furnaces, of its sizzling thrift. The most widely circulated local newspaper, The City Daily, proclaimed with pride that a city with so much smoke and dirt and noise was bound to forge ahead of all its rivals.

This was one of those fast growing cities that seem neither city nor village, with the unmistakable features of both. It had the appearance of a boy who has outgrown his breeches. Dilapidated two-story shacks were wedged in between towering skyscrapers; beautifully laid avenues intersected uneven country roads; colossal billboards spanned vacant lots within a stone's throw from the business centre; hoosiers, who could have stepped upon the stage of a burlesque theater without the slightest make-up, elbowed dandies, whose dress was patterned after Broadway models; saloons, with large foaming "schooners" painted in yellow on their windows, vied with the gaudy magnificence of cafes built after the style of the castle at Nürenburg. The Square was the heart of the city. Into it all the city's blood vessels flowed. In the center of the Square, as an eloquent specimen of the city's artistic aspect, stood a monument, which was a cross between a lighthouse and the Statue of Liberty — a monstrosity dedicated to the memory of the brave soldiers who had laid their lives down in the cause of liberty.

Upon my arrival I set out at once in search of my father's boyhood friend. My father had told me that although he had not seen, or heard of, his friend for more than thirty years he was sure that a man as brilliant as Mike Toner could not help but be one of the leading legal lights in the city. How else could it be? Mike Toner was a wonder in his boyhood; a real prodigy. Mike, my father had spoken enthusiastically, could recite Pope's Essay on Man backwards when he was fif-



teen; he could glance at a page and give it verbatim from memory; he could — well, there was nothing Mike could not do. And he had a heart of gold!

With all these lingering memories of my father's rhapsody in my mind I stood gaping at the Webster Building (which housed my father's friend) with a failing heart. The Webster Building was a four story affair of bricks that had once been chocolate color but had since changed to the hue of half-cooked turnip; with window-sills of stone, chipped and cracked, and what was left of them manifested a strong bias to join the larger slabs in the sidewalk.

I pushed the swinging, narrow doors in front of me and entered the corridor. There was no elevator in sight but only a steep, narrow stairway, the steps of which were so worn that they were of the shape of the inside of a slice of watermelon, with the names and professions of the tenants painted on the sides of the stairs. Chiropodists, truss makers, dentists, a few Justices of the Peace, and attorneys-at-law announced their callings at every step. After a climb of three flights I located my quest.

I opened his office door with a sense of depression mingled with mystery. I was vaguely reminded of Edgar Allan Poe's gruesome stories. Before me was a broad, shallow room, daylight streaming in through a cobweb-covered window close to an adjacent building. The light was barely enough to reveal the presence of the few rickety chairs against the wall and cast a strange glow over the framed Declaration of Independence which was suspended from a broken wire; a loosened tatter of wall paper in one corner produced the stage effect of a large palmtree leaf.

I remained standing in the room quite at a loss. Not

a sound reached me, save for shrill rivetting and the pounding of a steam hammer driving piles for the foundation of a nearby structure.

After I had coughed several times and resorted to other loud demonstrations I took a few steps in the direction of a partially open door at the furthest end of the room. I placed myself in the doorway and stared into the adjoining room.

On the wall facing me hung a large, full-length picture of Abraham Lincoln, covered with dust and fly specks; toward the right stood a top-heavy revolving book-case, minus one leg, crammed with backless, dog-eared law books and city directories of years long gone by; and in the center, like a sprawling dachshund, stood a low, long rectangular table, upon which were piled heaps of bulky envelopes (some opened, and others still sealed) and documents which appeared as if they had been dumped there at random many, many years before and had lain there ever since unmolested by hand, duster, or chance breeze. As my eye shifted to the end of this table I noticed a broken chair tilted on its hind legs, a pair of unpolished shoes, run down at the heels, resting on the edge of the table, and on a level with the shoes, and bent toward them, was an old derby hat, cracked across the crown, with two exquisitely shaped small hands, sticking upward on either side of the hat like the pointed ears of a rabbit. On closer scrutiny I noticed a curled up frame, of which the shoes and the hat were the extreme ends.

"How soon do you expect Mr. Toner?" I inquired of the immovable figure.

No reply.

"Can I see Mr. Toner?" I made another attempt.

The chair creaked, the cracked hat turned, and a pair of half closed eyes peeped at me.

"What is it? — Pocket-picking?"

The question emerged from a corner of the man's mouth.

"I — I — I came from —" I stammered, wondering what he meant.

"Of course you are not guilty. I have never yet known a pick-pocket to admit guilt. They are all innocent until proven guilty." He said this as if addressing no one in particular and chuckled.

"I — I've just come to town —" I made another effort to explain.

"Yes, they all have just come to town and don't know why the police is after 'em." He emitted a little hoarse laugh resembling the sound of a squirting rubber hose. "Now, my boy, tell me how it happened and I may get you off. I have just had forty-seven acquittals straight. Would you call that a slam or a strike?" Te — he — te — he!" He snickered. "Now, how much can you pay?"

"I want to see Mr. Toner," I said, somewhat irritably, scenting offense in his mistaking me for a pick-pocket.

"I am Toner — who do you think I am?"

With that he let his feet drop to the floor and began wiping the perspiration off his face with a dirty bandanna, which he pulled out from the folds of his greasy Prince-Albert. Then he raised his head, opened his eyes wider, and looked at me fixedly for a moment, as if he had just noticed me for the first time.

"What is it that you want, my boy?" His voice was now low and kindly; there was maternal tenderness in his tone.

"I have a letter to you from my father;" I said, handing it to him.

He pulled out a broken glass case from his pocket, opened it, and slowly stuck the spectacle shafts over his

ears. Then he tore open the envelope, puckering his lips the while, and began to read the contents. As he continued reading its strange expressions passed over his face. He frequently jerked his head, tugged at his stubby moustache, and made remarks to himself.

Finally he said, "So you are Malachi Stillwell's boy. I saved your father from drowning — that was a good many years ago — and incidentally saved you, too. Your father was a great fellow."

I told him I thought my father was still a great fellow.

Toner threw his head back and laughed.

"That's right, my boy, honor thy father and thy mother, as the holy book says."

He again passed his bandanna over his perspiring face, and looked blankly in front of him. For the moment he appeared as if he were unaware of my presence. Then he raised his head as if startled and said, "So you have come here to hang out your shingle, and your father wants me to give you some good advice."

Saying this he rose from his chair.

"Stifling hot! How about going to a cool place?"

I acquiesced. The atmosphere here was almost suffocating.

### III

PRESENTLY we were comfortably seated in a shady corner of Schmiermund's Cafe (celebrated for its wine, cheese, and rye bread), with a small table between us, a glass of wine before him, a glass of beer at my edge of the table. He began to hiccough before he emptied the second glass. For, as I had later learned, it was not so much Mike's inebrity as his inability to stand liquor that made a drunkard of him early in life.

"Let me give you a bit of advice, my boy," he said hiccoughing. "Never allow your heart — hic! — to guide you or you'll come to grief. The heart is a b— hic — a bad business — in law as well as in love — Yessir, I've tried both and —"

His flow of advice would not have stopped at this point had not his stogie dropped from between his lips and scattered a shower of ashes and flying gold over his bespattered black vest and Prince-Albert.

Having retrieved the loss of his stogie, however not without disastrous results to his glossy cranium, which had come in sudden contact with the sharp edge of the table, he moved farther back into the deep recess of his massive oak chair, rested an elbow on the arm of his seat (shaped for repose), and resumed didactically.

"'Tis no use beating your frail wings against the mighty bars of destiny" (under the influence of Schmiermund's brew Mike invariably waxed eloquent, but was inclined to mix his metaphors) "— hic! If you wish to get along in this world you must follow with the current, or — hic! — you must precede the breakers and let them push you on to the shore. You catch my meaning? Don't try to stem Niagara with a toy dam — hic! It'll sweep you off your feet. I've tried it and — hic! — landed in the gutter —"

He flopped back in his seat, his head drooping over his chest, his colorless, once blue, eyes staring in front of him, a cynical smile on the ragged fringe of his greyish sandy mustache.

I made no attempt at interruption.

He soon passed his hand over the tiny oasis of dead hair upon the very top of his shiny pate, and, with something like a suppressed sigh repeated, "Yessir, I've landed in the gutter."

I offered no contradiction to his statement. I looked at him with the eyes of unforgiving youth. Blind youth, like blind Samson, is ever reaching for the pillars, with vengeance in his heart. Experience had not yet given me lessons in sympathy.

Repeating a platitude I had often heard in the college chapel I replied, "One is the maker of his own destiny."

Mike's upper lip curled sideways and his frame shook from an inner chuckle.

"Shucks!" he finally exploded and swayed forward, shaking a delicate finger at me. "Only consummate asses, fanatics, and tyrants are makers of their own destiny. People with hearts — hic! —"

A fit of coughing stopped his speech.

"In order to succeed," he resumed while still coughing, "you must suppress your emotions; you must deaden your heart; you must silence your soul —"

He paused, absently dipping his finger in the wine drops and drawing figures on the glossy surface on the table.

"Your father tells me you are an idealist," he soon resumed. "A dangerous quality that. Idealists either rise to Alpine heights or fall to abysmal depths. If you wish to succeed you must use your idealism, as Walter Scott speaks of literature, not as a staff but as a crutch. If you lean your whole weight on it down — hic! — you go."

His body swung back and his head hung limply, his mouth open, the tuft of withered hair on top of his head sticking forward, like a buck's horns.

"Surely one can be an idealist following the career of Marshall, of Webster, of Rufus Choate," I flared up with boyish indignation.

Mike cackled like a stage witch. My remark seemed to provoke new life in him.

"What an innocent boob you are!" he mocked me. "Idealism in the legal profession? Truth in our courts? —Pshaw!" His voice had now sobered; there was fire in his eye. He looked straight at me and waved an admonishing finger. "My boy, law is today what the church was in the middle ages. Every age has its tyrant. The tyranny of monarchs is becoming universally recognized; the tyranny of the church has become a by-word; the time is not far off when the mask of jurisprudence will be torn off and the hideous spectacle of our courts and lawyers will arouse a new self-consciousness in the people. In theory the king, the church, and the law are justice loving, justice seeking; in practice they are selfish, degrading, corrupt. The legal profession as it is practiced today is a gigantic fraud. In the so-called dark ages when anybody wanted his neighbor's property he hired a highwayman; today he hires a lawyer. Half of the lawsuits are legalized blackmail. A lawsuit in our courts is as much a game of chance as when you place your money on a number at roulette. With this difference, however. In our courts the wheel is very often so fixed that even the law of chance is denied you. If you would succeed in your noble profession (there was a sneer in Mike's voice), you must flatter and cringe and truckle and lie. You must cringe to the Judge, you must lie to your adversary, you must deceive yourself. Those waging a lawsuit, like those waging war, pretend to fight for righteousness but in reality fight for their own aggrandizement, and, also, as in war, seek to gain their ends by underhanded methods. If you come into the presence of the Judge — very often a jackass in ermine — you must make him feel that Solomon in all his wisdom was never as wise as he. If His Honor smiles you must grin; if he scowls you must grow solemn; if he jests you must



applaud; if he scolds you must nod approval. Cringing pleases His Honor, especially if he is of a low breed, and the lower the breed the lower you must bow and cringe. Remember this, my boy, a Judge on the Bench is like a vicious dog in his kennel. There he is master and you only an intruder. He is guarding the gates of justice. If you would go past him unharmed and attain your destination you must whistle to him and pat him and throw him a sweet morsel and call him a nice doggie, or he'll growl and bite and bar your entrance to the palace of justice."

"O, it isn't the material side of the profession I am after," I remonstrated with the fervent zeal of youth. "It is the ideal phase of the profession. I wish to be of service to my fellows. I—"

Toner was thrown into a fit of laughter and hiccoughing and coughing all at once.

Then, staring at me comically, he said, "I didn't think they still grow boys like you these days." He paused and the expression on his face changed. His colorless skin appeared more drawn, his lower lip quivered, there was mist in his eyes. When he spoke his voice was husky. "I was once that way myself"; and he nodded his head forlornly. "When I first hung out my shingle I had faith in justice. O, God, how I believed in it! How I fought for it!" He closed his eyes as if in prayer and raised his closed hand to his forehead, his elbow resting on the edge of the table. I thought I heard a sob in his throat. "Well, it was a vain struggle and in my despair I took to drink; I am harmless now."

"I hate to disillusion you, my boy," he soon added with a suppressed sigh, "but if you wish to rise in your profession you might as well be told the truth at the outset. I hope you won't repeat my mistakes. Idealism!

There ain't no such animal in the law business. You only hear of it on graduation day and at Bar Association meetings, when some hypocrite in frock coat, with a dangling silk ribbon suspended from his glasses, airs his sophistry to a gullible audience. Stick to your idealism and you'll land either in the gutter or in the poorhouse. No lawyer can earn ten thousand dollars a year honestly — I mean without transgressing the very law he was sworn to uphold."

With a sudden jerk he filled a large glass of wine and gulped it down.

#### IV

I STALKED out of Schmiermund's disappointed, embittered, distressed. Youth cannot brook discouragement; Toner's remarks were like ashes heaped upon glowing coals. I heaved a sigh of pain. It pained me to have had my sanctuary defiled. I worshiped the career I had chosen. Law to me was not merely a means of livelihood but an ideal, a mission. I looked at it with the eyes of a jealous lover, who defends while he accuses. I could not — I did not want to believe that law, the foundation of all government, demanded compromises, tolerated insincerity. I was vexed with my father for having sent me to Toner and determined to keep away from the blasphemous Mike. And I would have perhaps kept away from him had not chance thrown me in his way the very next day.

Upon inquiry for a respectable boarding house I was referred to Schultze's. Schultze's seemed to denote distinction. Many a roomer at Schultze's, I had been told, had risen from obscurity to fame; from Ludwig's three-

cent-lunch counter to the stained oak tables at Schmiermund's; from sawdust bar-rooms to brass trimmed, mirror walled cafes. I was given to understand that Shultze's was the nursery of local celebrities.

When I pulled the antiquated porcelain knob the door was opened by a tall, fleshy woman of unmistakable Teutonic extraction. Did she have a room? "Yes, sir, the only room I have left and the best in the house." Waddling up the steep flight of carpeted stairs she led the way along a dark corridor and finally pushed open a door and, waving an eloquent finger in the direction of the chamber, said, "This is the very room, sir, which Joseph Shutliff occupied when he first struck this city — I trusted him the first three weeks' board and advanced for his laundry! You have never heard of Shutliff! Then you certainly are a stranger in these parts. Shutliff is him that married Ben Cleve's daughter and is now a member of the law firm, Black, White, Day and Knight. After him Jerry Cain roomed here — him that's in Congress. Yes, in this very room. Take it from me, I knew all them big guys when a dollar looked to them as big as a cartwheel."

With her round red arms bared above her elbows, her damp hands at her hips, her protruded abdomen rising and falling under her patched apron, as if beating time to her audible breathing, she held forth oratorically upon the great personages she had housed and boarded in the past decade. Moreover, she intimated, "without intending to flatter" me, that I, too, looked promising. Could I resist the temptation of joining this hall of fame?

In the evening I made the acquaintance of most of the "roomers." They were nearly all lawyers, some of them young and impecunious who had come here from the country, like myself, to seek fame and fortune.

Feeling rather lonesome I retired early to my room and, as was my nightly habit, settled down to write a few pages. For while I looked to the law to support me my ambition was centered upon literature. (A bulky manuscript of mine was then making the rounds of New York publishers.) But before I had proceeded very far with my work I was interrupted by a knock on my door and before I had a chance to respond the door opened and the form of Mike Toner edged in.

"How did you know I was here?" I asked.

"That's a good one — how did I know?" and he settled into the rocker close to my seat. "How did you happen to come to my house?" He pulled at his stogie but finding it extinct asked me for a match (which he scratched on my table).

"Your house?"

"Don't you know I am Mrs. Schultze's husband?" he again answered with a question. "That shows that you are a stranger in the city or you would have known that Schmiermund's wine and Mrs. Schultze's potato pan cakes have brought ruin upon the brilliant Mike Toner."

He threw his head back and laughed sardonically (at least, novelists would describe it as such).

The next instant he resumed. "Yes, this is my house, and my wife, as King Solomon would have said, is one in a thousand; a rare jewel; they don't come any finer; she has the kindest heart that ever beat in a woman's bosom. I suppose she told you this is the finest room in the house, and that Shutliff and Jerry Cain occupied it in their lean years." He tittered. "She loves to dwell upon this distinction. She is a good, simple soul, and really believes that because Cain is in Congress and Shutliff married to Ben Cleve's daughter they are great men — O, I see you are writing — Yes, you told me of your hobby," he con-

tinued, without giving me any chance to participate in the dialogue. "If I had the gift of a Dickens or Thackeray I'd write a great novel, with the lawyers I have known as the principal characters. No, sir, Pickwick Papers wouldn't be in it. Have you met the bunch at our house? An interesting lot. There is Virgil Tinker, a likable chap; not much brains but a glib talker, with a pleasing presence, a hale-fellow-well-met. He has come to this town well recommended. An uncle or a cousin of his is in the Senate by the grace of a few corporations. A senator for an uncle is an asset not to be sneezed at. And Virgil has the frock-coat habit. At forty-five he'll be the junior member of Nixon, Wright, Croak & Powers; will have a stylish looking black ribbon suspended from his glasses; and will most likely wind up his career as president of the bar association, with a funeral attended by the bench and bar and special memorial service in one of the court rooms."

"Then there is Albert Tompkins," he continued quite soberly, almost oracularly. "A nasty looking young man, with the face of a hawk, with the conscience of a diplomat, with the energy of a pioneer miner, bent upon getting there. He'll get there. I'll wager in fifteen years he'll be one of the guarantors of the symphony concerts, one of the trustees of his Alma Mater, a director of the Chamber of Commerce, and will eat his dinners in a 'waiter's suit' — te — he! te — he!

"I can't make out that fellow Archie Gunner — bluff and spread eagle oratory. He may wind up as a great criminal lawyer or, if he persist in politics, might land in the Senate."

"You are quite a knocker," I remarked, anxious to get rid of him.

"And am proud of the title," he flashed back, tugging

at his ragged fringe of stubby moustache. "Whenever a fellow tells the truth people call him a knocker. Before you are five years older you'll be a knocker too, or I miss my guess — that is, if there is anything real good in you, Stillwell."

With this parting shot he scratched another match on my table to relight his stogie, and without bidding me good night walked out of the room.

## V

AFTER a few days of aimless wandering through the streets, familiarizing myself with the downtown office buildings, with the municipal and county courts, I decided to start on my own hook, as the saying goes. I recalled the advice given by a veteran in the practice of law who had lectured at my Law School. "Start for yourself if you can afford three months office rent," he had told us. My father had given me three hundred dollars and while I had made up my mind never to invoke his aid again, I felt that the amount I had was sufficient to take the risk.

I shall never forget the day I first beheld my name on the frosted pane of an office door. How shall I describe my feelings then? It was something of the sensation I experienced when I saw my first story in print. I shrank a step backward with timidity. I looked at the bold black lettered sign, GUY STILLWELL ATTORNEY-AT-LAW, with the feeling of a sensitive youth who becomes self-conscious of bragging. The sign seemed to me so immodest. It seemed so egotistical.

I unlocked and opened my office door stealthily, apolo-

getically almost. And I had every reason to be apologetic. For a startling thought raced through my brain and made me cower with shame. It dawned upon me that I did not know enough about the law business to collect a grocery bill. Finding myself before the glass doors of my bookcase I looked squarely into my reflection and in the manner of actors of bygone days addressed my image in the following manner: "Guy Stillwell," I enunciated quite clearly, "you have a diploma and a certificate but you don't know a thing about the lawyer's business." And there was more melancholy than laughter in my smile.

Parenthetically I might add that the modern theory that "asides" and soliloquies are not true to nature is all wrong. I have often soliloquized, awake and in sleep. In fact, whenever necessity compels me to call myself an ass or some other equally sagacious creature (and the necessity has presented itself quite often, I own), I say it loud enough to be overheard by any chance passerby. But this is neither here nor there and has nothing to do with my story. To use the language of my profession, it is quite irrelevant.

However, the rent having been paid, my declaration of competence written on the door in unequivocal terms, I adapted myself to the circumstances. I shoved back the rolling top of my desk (which receded rather reluctantly and emitted squeaks of protest), and flung myself into my swivel chair (which also shrieked harshly.) The pungent odor of the varnish of my new furniture, the smell of the dye of the new rug, the redolence of the bindings of the new volumes of the State Reports, were almost intoxicating.

Leaning back in my chair I turned to my left and gazed through a window, which faced the rear enclosure

of another office building with its numerous windows. Presently I was lost in a revery. I had not yet realized that I had entered the world of action. I was still rapt in a college atmosphere. I was still living in the world of dreamstuff. Before long a girl from the floor on a level with mine discovered my existence. My heart skipped a beat or two, as we exchanged glances.

And as one link of thought dragged another I soon recalled that the same worldly professor (who had advised us to start on our own hook) had also advised us to "put on a bold front." "Appear busy even if you are not," he had counselled us. "Join a church even if you don't quite agree with its articles of faith; affiliate yourself with one of the leading political parties even if you are at variance with the principles of both of them." At this piece of advice I bolted. Compromising with expediency? No, indeed, not I!

But I could see no harm in appearing prosperous and busy. Yes, I ought to have a stenographer. Without one I could not appear prosperous. So I inserted an advertisement in a daily paper that I was in need of one.

When I got to my office the next morning, the entrance looked like "the house of the women" in Ahasuerus' palace. (That was long before the War when there were five stenographers for every job.) Plump and thin girls, brunettes and blondes, females of all shapes and sizes were at my door.

Again I called to mind my professor's counsel. "Do not engage your stenographer for her looks. Flirt with other people's stenographers, never with your own," he had added flippantly.

With this admonition in mind, I seated myself in my private office and began to interview the applicants one by one. But alas, like all proffered advice, my professor's



counsel was wasted. Instead of having my attention on the applicants' fitness my mind persisted in dwelling upon their personal appearance, though, to my credit be it said, I was not conscious of this fact at the time. When the choice was made I found her to be a pretty inanity, without brains and without experience but with pink cheeks over which there was suffused "a blush of morn," with soft hazel eyes and lips crimson dyed.

Now my office force was complete: a reception room with a typist who could not type and an inner office with a counsellor who could not counsel.

With a stenographer in my ante-room to give me warning of a prospective client, should he ever appear at my door, I reflected delightfully, I could keep my private room closed and could lose myself in some book more alluring than Moses on Mandamus or Benjamine on Sales (again unmindful of my preceptor's warning not to read light literature during office hours), while indulging in the luxury of a pipe. Unfortunately she had no discriminating eye. She would usher in gentlemen of shabby gentility with "folded shutters" of sets of Tolstoy or Balzac or Darwin under their arms or loquacious individuals with pointed beards who would insist that I must needs have life and accident insurance.

These indiscretions on the part of my stenographer irritated me because at her signal I would exchange Turgenieff for Cooley on Torts with lightning rapidity and pretend to take notes as if I were hard at work on a brief. Finally I gave her strict orders not to disturb me unless the caller's mission was business.

One morning she entered my office timidly, excitement on her face, and whispered that a gentleman wanted to see me. "Yes, he said he wished to see you on business," she added.

The damaging evidence stowed away in a handy drawer I ruffled my hair to give my face a touch of pre-occupation and said loudly enough to be heard by my prospective client, "I'll see him in a minute." I felt pleased with myself. I thought I showed shrewdness at last. My tone was business-like.

"Are you Mr. Stillwell?" the man asked as he stepped in.

"No other," I assured him.

"A friend of mine mentioned your name to me the other day," he proceeded as he took the chair I moved toward him. "He thought you was a bright young lawyer who could handle profitable business well. I said that's the kind of a lawyer I want, says I. I want a straight, honest chap who is bright. 'Well, that's the man for you' says he." Saying this he moved a little closer to me, as if he were going to unbosom the secrets of his life. "I have a patent which I am afraid to trust to them patent attorneys. They might steal it from me."

"You need not worry about my honesty," I struck in proudly, eager for the first profitable business in sight.

"You needn't tell me about your honesty. No, sir, you needn't. It's written all over your face. I'll bet you are as bright as a new dollar, too. I've just come to make an appointment. How will tomorrow at ten do?"

"I think I can spare that hour," I assured him in a tone as if I could hardly spare a minute but would do it as a special favor.

"All right, then, tomorrow at ten. Don't make no other appointment. You'll have to give me a good deal of your time."

"I am at your service," I spoke somewhat nervously, my eagerness precipitating my rush of words.

He rose to go and stretched out his hand, which I

clasped in the manner of a politician on the eve of an election. He turned to leave and then paused as if a new thought had just struck him.

"By the way, Mr. Stillwell. One good turn deserves another. I am the foreman in a large foundry. If you'll give me about a hundred of your business cards I'll have one of the men distribute them among the employees. A young lawyer needs acquaintances and this will be a great help to you."

I hesitated before I replied. "Advertising is against our professional ethics," I stammered.

"You don't call this advertising," he laughed. "You can give me a dollar, which I'll give to one of the boys in the shop, and he'll simply distribute your cards as a token of friendship. It's a good investment. One of them boys may give you one case which might be worth thousands. You can suit yourself about this, however," he added nonchalantly. "I'll see you tomorrow at ten."

He made as if to leave.

"So far as the dollar is concerned that's a small matter," I hastened to add, fearing I might displease my first client, and produced the coin.

He took the dollar and said, "Now let me have about a hundred of your cards. I'm sure this'll be the best investment you have ever made. Tomorrow, then, at ten o'clock," he added, pocketing the handful of cards which I was finally persuaded to give him.

The strangest part of it all was that I did not suspect I had been cheated out of a dollar until the following noon, when the inventor of the "patent" had failed to appear. It was only then that I recalled his vermilion face, drooping reddish-grey mustache, and shabby coat. That was a merited punishment, I said to myself, for having been tempted to violate my professional ethics.

## VI

At last the expected happened. A live client came in. No, barely alive. His face was covered with clotted blood, a tatter of his coat sleeve was dangling down his arm and displaying a hiatus of blue shirt that yearned for a washtub, and a cut over his left eye was patterned after the Turkish emblem.

I stared at him and he stared at me.

"Are you a lawyer?"

His voice was thick, with the unmusical sound of a classic language.

"I suppose you want a doctor," I made an attempt at facetiousness, which was entirely lost on him. /

He was fumbling an old cap between his hands.

He explained to me in broken English that he was a Greek, Nick Nikopopulos by name, and had a shoe repair shop and that a constable had beaten him up and taken his machine and tools away. He protested that he was not indebted to any one and that he had been in business only two months.

After he had made his story clear to me my heart leapt with joy. Here was my chance to right a wrong, the real mission of my profession. The blood began to course warmer in my veins; my zeal for righteousness flared up.

I jumped up and was ready to go with him that I might find out the perpetrator of this grave injustice. But the next instant I paused. I was not quite clear about the procedure. Of course, I knew that I could follow two courses, one of which was an action in replevin, but replevin in the text book and replevin with a blood-smeared client who wanted quick action was a different matter.

"Where is the constable?" I asked.

I was playing for time; I wanted to gather my legal wits.

"Come with me, Mr. Lawyer, an' I show you."

Out we went, Nick Nikopopulos leading the way.

We passed through The Square, turned into an alley, which resembled the neck of a bottle but ended in a *cul-de-sac*, and soon turned into a court, the corner of which was conspicuous by the large gilded letters on a black tin sign which spelled THE SCHOONER. Adjoining it was a smelly kitchen, around which, like dogs near a slaughter house, loitered ragged tramps and the scum that claim fealty to political leaders. Wedged in between the building that housed THE SCHOONER and the rear of THE ACADEMY (a melodrama playhouse of a past generation) was a dilapidated frame shack, the blistered siding of which looked like the bulging sides of a squatting camel in the tropics. There were two stores on the ground floor: one occupied by a barber shop, where one could get a shave for five and a hair cut for ten cents, and one by a chop-suey place where one was served by an opium-smelling Chinaman.

"Dat's de place!" Pericles' countryman pointed excitedly to the entrance between the barber shop and the chop-suey den.

There was no door to the entrance. The steps were filthy and wormeaten. I hurried breathlessly after Homer's descendant (In my haste and fervor I overlooked the fact that Homer was not only blind but also childless and speculated with a thrill on the possibility of my client being a distant offspring of the Grecian bard) and soon found myself, alongside of my client, in a small windowless room, in which all sorts of people were seated around the walls.

"What's yer hurry, young feller?" a short, stocky man, with a grizzly mustache turned sharply upon me. In his mouth was a half chewed unlighted cigar.

I had opened the door briskly, my heart palpitating with wrathful indignation.

"Dis is de man wat took my machine," said Nikopolos in the tone of a little boy who has brought his big brother to lick his assailant.

The man with the unlighted cigar turned contemptuously from the Greek to me.

"I want you to give this man his machine and tools," I demanded, my heart beating with zealous righteousness.

"Who in the hell are you?" quoted he and switched his unlighted cigar to the other side of his mouth.

I proclaimed my calling.

"Well, if you are a lawyer, you know what you can do"; and he chuckled disparagingly, eyeing me with unconcealed disdain, and he let out a spurt from the corner of his mouth as if to demonstrate his contempt for me.

I felt the sting keener than he realized. Truth to tell, I did not know what I could do.

"Who is the constable here?" I demanded in a somewhat conciliatory tone.

"Yours truly," he replied; and thrusting his hands into his pockets jingled coins and keys teasingly, as it were.

He looked at me in the manner of a dog pursuing a cat that has swiftly climbed a pole to an unattainable height.

"What right did you have to take this poor man's means of livelihood without due process of law?" spoke I grandiloquently.

(You see, I was still at that stage of unsophisticated youth when one believes in legal maxims.)

"Haven't I got the right to levy when execution is issued on a judgment," retorted the Servant of the Law in the tongue of jurisprudence.

"What judgment?" I asked.

Nikopopulos stared with open bewilderment at the mouth-wrestling of the giants.

"I'll show you, my boy," he answered patronizingly, and moved toward a rectangular table, upon which lay what I later learned was the Court's Docket.

"Bill, show this guy the transcript of the judgment against the *dago*," he addressed a coatless youngster, who was filling in legal blanks.

"Bill" turned several sheets and shoved the heavy docket toward me.

I glanced at it and said triumphantly, "This judgment is against Antonio Specuzza. This man's name is Nikopopulos."

"I don't give a damn what this guy's name is," retorted the executioner of the law, "The City Machine Co. ordered execution against a dago who keeps that store — that's good law enough for me!"

"Specuzza he move out two mon'," struck in the son of antiquity.

"The other fellow was an Italian and this man is a Greek, as their names indicate." I made another attempt to clinch the argument, incidentally seeking to impress upon the constable my classical erudition.

As I was about to add another stroke upon my legal wedge a man rushed, or rather danced, out of an adjoining room and asked hurriedly, though cheerfully, "What's the matter, boys?"

The hopping man, as I soon learned, was One Eye Smith. He was rather short, and his pompadour made me think of a cock clapping his wings and ready to

crow. His artificial eye was larger, and looked more natural, than his natural one. It was the artificial eye that seemed staring at me. He was a living proof that justice was only half blind.

"Squire," explained the constable, "This here guy is raising hell about that dago's execution."

"Well, my boy," the Squire turned upon me rather benignly and placed a fatherly hand upon my shoulder, "if you are a lawyer you know what you kin do."

"But this is a wrong levy," I expostulated with all the zeal of a righteous cause. "This poor man oughtn't to be compelled to undergo the expense of hiring a lawyer to help him prove what is an obvious fact."

"So much the better for the lawyers," joked One Eye Smith, his seeing eye dilating into a laughing squint.

"But this is an outrage."

That was as far as I got.

"Young man," burst out the Squire, his natural eye becoming bloodshot with wrath, "if you say another word I'll fine you for contempt. In fact, I have a mind of fining you right now for your disrespect for the court."

I stood abashed. I had a vague notion that contempt of court was an offense akin to treason.

Bill the Scribe and the constabulary snickered maliciously.

I am obliged to confess quite shamefully that in my confusion I beat a hasty retreat, my Greek cohort guarding the rear.

When we reached the street both of us halted and looked at each other: the shame of overwhelming defeat must have spread over my face, helplessness on that of my client. I do not believe he quite understood the predicament beyond the fact that he was still deprived of his tools.



I then rushed back to my office and delved into the Statutes, but the more I read the more helpless I felt. The law was clear. I could not get possession of the property without furnishing a bond. Who would furnish the bond? The amount claimed was fifty-three dollars. Hence the bond would be at least twice that much. After a moment of hard thinking I told my client to remain in my office while I marched out in search of reinforcements to counter-attack the enemy.

Presently I was face to face with the representative of a bonding company; a man of slight build with shifty, distrusting, roguish eyes. He spoke in that half suave, half cunning tone of the shrewd American pawnbroker. There was something in his manner, in the wiggle of his body, that made me think of a pick-pocket.

"You need not fear to go on his bond," I naïvely urged, "my client is an honest Greek, and you'll be doing a real charitable act." The last I added as a persuasive touch.

A smirk leaped to the lips of my interlocutor. Today, many years after, I understand the meaning of that smile. Then I only wondered. And when he eyed me suspiciously I squirmed.

"After you have practiced your profession a few years," he volunteered a bit of advice, "you won't speak of charitable acts." He now laughed quite openly and contemptuously. "In my line, and yours, charitable acts don't count. The *dough* is what counts." And with both hands in his trousers' pockets he winked significantly.

"But you don't run any risk," I urged. "This lawsuit can't be lost."

A peal of laughter greeted my ears. The ferret-like little bonding man, with his hands still in his trousers'

pockets, bent backwards as he laughed. The girl at the typewriting machine raised her eyes from her work and stared at me.

"How long have you been practicing?" he asked after his laughter had subsided. And without waiting for my answer he added, "You'll soon find out that there is no such a thing as can't be lost."

"But facts don't lie," I argued.

"Facts are facts, but a lawsuit is a poker game. And even when you have the cards you are not always sure of winning. The cards are sometimes stacked." He winked.

(Where had I heard it before? I wiped the perspiration off my forehead as I recalled Mike Toner's cynicisms.)

My persuasion was of no avail. He would not furnish the bond without security. But that was no real obstacle. I still had some money in the bank so I drew one hundred and twenty-five dollars and placed it with the bonding company's representative, who accompanied me to my office. From there, my client following, we went to replevy the cobbler's tools.

"I'll take you to my Squire," counselled the bondsman. "I throw a good deal of work his way and he'll be all right."

The bondsman's words shocked me but my zeal in behalf of my client's cause made me forget all else but the results.

Before long we were in the presence of the bondsman's Squire. He was known as One Leg Jones; also as the Marrying Squire, because of the great number of marriages he had performed.

At the entrance of his "court" a sign dangled overhead with the following inscription:

## THE JUGGLERS

STOP — LOOK — GET MARRIED

COME INSIDE

*Squire Jones Will Marry  
You At Cut Rate Prices*

"Shake hands with Mr. —" the bondsman paused for want of my name.

"Stillwell — Guy Stillwell," I supplemented.

"How do ye," snapped the Marrying Squire, resting on his crutch, his protruding gray eyes meeting those of the bondsman, who stated the purpose of our call in a few words.

"Johnie — Oh, Johnie!" One Leg Jones called and stamped on the floor with his crutch.

"Johnie," the clerk, who was lounging in the hallway, answered the call.

"Give the gents replevy blanks," spoke the Voice of Justice.

The blanks filled out, the Squire stamped his crutch again and shouted "Gilbert!"

Gilbert appeared. Gilbert was the constable.

"Take care of the gents," One Leg Jones ordered.

Gilbert's claim to authority rested on his stomach. In fact, everything else seemed to rest on this part of his anatomy; his small head and short legs accentuated the size of it. A chance visitor lost sight of everything else. It was only after a second look that one noticed the little bluish bags under his eyes and the deep dent in his forehead.

The bondsman again acted as my spokesman.

Gilbert scratched his head by rubbing the soft part of his cap against his scalp.

"All right, put up the deposit," he said nonchalantly.

I explained that I had just given a bond.

Gilbert eyed me suspiciously for a moment. He looked above my head rather than at me.

"No chekee, no washee," he imitated Chinese dialect.

I dug into my pocket and fished out a five dollar bill.

The bondsman then excused himself and left.

After Gilbert had pocketed my five dollars he added that I must put up fifty cents more. This amount, he explained, *might* be required by the custodian as his fee for appearing in court. I again produced the coin. Then I waited but Gilbert's alacrity seemed to have disappeared.

"What's the hurry?" he asked, lighting his corn-cob.

"The cobbler's tools won't fly away.

I explained that my poor client could not earn his livelihood without his tools. But Gilbert demurred. No, he would not be hurried.

After I had exhausted my entreaties I appealed to the Squire, who paused a moment, as if pondering a weighty problem, closed both eyes, opened them again, and snapped, "Gilbert, go and serve the papers."

Gilbert bestowed on me a look which could best be conveyed by brush and paint. His mouth opened at one corner, the upper lip curved upwards, his eyes shifted in the opposite direction, and a snarling noise escaped his lips.

"Run along," he finally muttered between his teeth.

I ran along, Gilbert toddling after me, the Greek after him. Reaching THE SCHOONER Gilbert's face brightened and he said in a friendly tone, "Won't you buy a beer?"

(Be it remembered that that was the first and only time in my career that I yielded to diplomacy!)

The bar was lined three thick, the coatless men behind the counter serving the drinks and clinking glasses,

as they moved this way and that, with "What's yours?" constantly repeated.

"What's yours, Ginny?" (Ginny was the nickname of one of the bystanders.)

Ginny had the appearance of a scarecrow in early fall. One shoulder was noticeably lower than the other. His mouth, too, drooped to one side. Also his eyes. Recalling Ginny I see clearly that he was altogether lopsided. Even his coat and trousers seemed built to fit him — (or was it that he fitted his clothes?) His face was thin and narrow (reminding one forcibly of skulls and bones) and full of large red freckles. When he gulped down the brimming glass of rye the large Adam's apple in his throat went up like the mercury of a thermometer suddenly plunged into hot water.

Then there was a Charles and a Gus and a Blake and a George and a Tommie who welcomed a drink at my expense.

"You'll add another ten spot to your fees," Gilbert nudged me as I put up my last five dollar bill and waited for my change. "You'll make up on 'em by and by"; and he winked again.

When we emerged from THE SCHOONER Gilbert showed a friendly interest in me. He offered advice. (Somehow everybody offered me unsolicited advice.)

"Be a good fellow," said he, "and you'll make headway quickly. It doesn't pay to antagonize these fellows — you see?"

No, I did not see. At least not then.

One Eye Smith's "court" was crowded. The overflow lounged in the dark hallway. Some were seated on the staircase leading to the attic. In other parts of the hallway, in groups of gesticulating foreigners, litigants were trying to "get together" or were arguing it out.

We elbowed our way into the "court." Two lawyers were seated on the edge of the table, discussing the prognostications of the coming election. The constable was explaining why a certain candidate, whom he was opposing, could not be elected, while One Eye Smith was running back and forth, like a busy stage shifter, from one partitioned room to the other, panting, apologizing, administering oaths, solemnizing marriages, signing "attachments," with the thrift and cunning of a stall keeper at a Persian bazaar.

"Hello, Charlie," Gilbert greeted his colleague.

"Hello, Fatty."

"I have a writ for you."

"Let's see its color."

After he glanced at the paper Gilbert had handed him Charlie gave me a contemptuous look and said, "Is it for that shyster? The City Machine Company will show him where to get off."

"So long," Gilbert said and turned to leave.

"But I want the machine," I burst out with all the wrath at my command, "Haven't I furnished a bond?" I demanded.

The constabulary force of the Seat of Justice laughed in unison.

"The statute gives him twenty-four hours within which to give a re-delivery bond," Gilbert enlightened me patronizingly.

"Why don't you send him to school, Fatty," Charlie darted a satirical arrow.

I sighed helplessly. The perspiration rolled down my forehead and ate its way into the corners of my eyes. My eye-lids were burning. So was my heart. I have no recollection of my traversing the distance between the "court" and my office. I felt embittered, humiliated,

outraged. My voice was hopeless as I told Nikopopulos to come back the next day.

"Me kent vorrek — me kent vorrek — " he kept repeating and shook his head forlornly.

"Tomorrow — tomorrow," I consoled him with a lump in my throat.

When the Greek left me I bolted the door and dropped into a chair. I understood the feeling of Jonah after the gourd that sheltered him had withered. My thoughts were not well defined. I could not think clearly. I was conscious of consuming despair.

Then I seized my pen and began to write, my brain feverish, my nerves unstrung. Youth swings quickly from hope to despair. I found myself hopeless. It was not the case of the helpless Greek but the case of the oppressed as a class that I was championing, I said to myself. The dramatic element in me had always been pronounced, and now the case of Nikopopulos presented itself to me as a tragedy. I visualized every scene in this drama: the poor Greek peacefully at work in his little shop, soot and sweat on his brow, contentment in his breast, dreaming of the comfort he was furnishing his wife and children; the sudden intrusion of the constable — the Iron Hand of the Law — wresting from the poor man the very means of his livelihood; the picture of the poor man's homecoming, the agony of the poor wife, the cries of the little hungry children! My imagination was quickly gaining in speed and vividness. I beheld the denouement: the starving children, the desperate parents. There I stopped. I could not grasp the last act. Does justice triumph in the end? Or is life as the Greek tragedians of old pictured it?

These and a hundred other questions raced through my brain. I wished I could write a great novel — an-

other *LES MISERABLES* — with Nikopopulos as another Jean Valjean. I wished — Oh, a thousand plots suggested themselves to me with Nikopopulos as the hero, Charlie the constable as the villain, One Eye Smith as the tyrant on the throne, etc. And through all my thoughts the stray remarks of Toner recurred to me. But I would not listen to his utterances. I would not shut the gates of hope.

The rest of the day I alternated between brooding, examining the statutes, and cursing the legislators for having enacted unjust laws.

The following day I learned that The City Machine Company had given a re-delivery bond. And I was again obliged to face Nikopopulos without his much needed tools!

I awaited the trial with panting anxiety. I left no stone unturned. I fortified myself with ample legal ammunition. I knew I could not be beaten. I had the law and the facts on my side.

When I had presented all my evidence Pat Keegan, the opposing counsel, tip-toed into the courtroom and almost in a whisper offered proof of the value of my client's machine and tools (the value was set down at five dollars by "three disinterested freeholders," Messrs. Blake Jones, Tommie Coon, and Jerry Donovan, alias Ginny, the three distinguished gentlemen who had had drinks at *THE SCHOONER* at my expense). I scarcely paid any attention to this feature of the case. Why should I bother about the value of the specific articles I was seeking to recover when my suit was in *rem* (the thing itself), to use a legal fiction? You see, I own, I was young; and was not quite conversant with the trickery of my noble vocation.

One Legged Solomon gave his decision very promptly



in my favor. For a moment I was jubilant. "We have won," I whispered to my client. The next instant, however, I became apprehensive. Pat Keegan left the courtroom smilingly. I wondered why he was smiling. And while Nikopopulos was shaking my hand with gratitude I noticed a snicker on the face of the constable.

I soon learned of the legal trap which had been set for me. As soon as Keegan left and One Leg Jones called another case for trial I walked up to the constable and demanded the replevied articles.

"We can't find the junk," he said in a jeering voice.

"But I have won the case," I protested.

"If you can't locate the goods you get their value," he replied with another laugh.

"Less noise!" One Leg Jones snapped and pounded his desk with his crutch.

"Vere is me machine?" My client tugged at my sleeve, noticing my embarrassment.

What I said I do not remember. I spared no epithets. I talked loud; I shouted with pain and indignation. People from the hallway rushed in and blocked the doorway.

One Leg Jones again pounded the "bench" with his crutch and clamored for silence. But I was not silenced. I voiced my convictions boldly, when suddenly I was conscious of a deafening noise — something like the noise of a bursting dam was seething in my ears — a strange heat surged through me, and something hot and sticky trickled into my mouth and over my chin. Things had come so sudden that I did not grasp the details beyond the fact that some one was holding me, saying, "Don't fight!"

I did not fight. Gilbert had pinned my arms so that

I could not raise them, and Charlie was wiping his hands as he edged out of the crowd.

"Clear the court room!" the Squire commanded.

When I found myself in the open air, mopping the blood off my face, I realized what had happened. Nick Nikopopulos was by my side, sympathizing with me, and holding my hat. For I was bare-headed. The Greek was swearing in his classic tongue. I knew that nothing but utterances of vengeance could be hissing in the manner the words escaped his lips.

Yes, I, too, craved vengeance. So I wended my way to the Police Court. Nikopopulos, with the courageous instinct of his ancestors, seemed to have forgotten his sorrows in mine. He followed me. I was as yet unfamiliar with police court methods.

The police court was over a livery stable, where the patrol wagon trotters were kept, flanked on the right by a twenty-five-cent lodging house, on the left by a saloon with a curtained door and windows, and in front of it a clanking anvil was making music during all hours of the day.

I shall not pause to detail my pilgrimage from one police prosecutor to another (later I learned that Charlie belonged to the same political persuasion as the Administration in power). At last my persistence had borne fruit. "All right, put up five dollars and I'll issue a warrant."

So I staked more money in my pursuit of justice.

The following day, after waiting for my turn in Police Court till late in the afternoon the case against Charlie was called. (I might also add that before that I had noticed several of Charlie's friends, notably Pat Keegan, hovering around the Bench. His Honor lending them an attentive ear, while he listened with the other ear to the

progress of the trials before him.) However, I approached to be sworn as the prosecuting witness with undiminished hope. For, in spite of my suspicions, I thought His Honor was bent on administering the law justly. He had just sentenced a blind old man, who had been guilty of begging on the street, to thirty days in the workhouse. (The victim bowed courteously and kept repeating, "Thank you, Judge, thank you. I don't mind if you make it six months.") And I heard His Honor deliver a scathing rebuke to a poor fruit vendor for violating the peddler's license law and fined him fifty dollars and costs.

Presently I was seated in the witness chair and recited my grievance. His Honor leaned back in his chair and laughed blandly during my recital. When I exhibited my split lip and the torn lining of my cheek, His Honor grew facetious and commented that since young lawyers have "too much lip" my assailant had perhaps bestowed a favor upon me; and the clerk at the Judge's right roared, and the reporters in front of him grunted, and the officers and everybody else around the Bench joined in the laughter that followed the Judge's brilliant remark. (Woe to him who does not laugh when the Judge on the Bench tells a story or grows sarcastic!)

When Charlie took the stand the judge turned upon him with feigned harshness and said, "Now explain why you swatted the gentle youth upon his orifice" (loud laughter). And Charlie explained very briefly.

A pause followed Charlie's testimony. All eyes were centered upon His Honor's countenance. There was expectancy on every face. Bred in brothels and saloons, with an early education on the ore docks, he loved to sermonize from the Bench. When "the boys" (the reporters) were around he sermonized at great length, injecting here and there a pithy, quotable phrase.

His Honor soon delivered himself with great precision in the following vein: "While the law does not recognize abuse as justification for assault, yet the prosecuting witness, who is a young lawyer, an officer of the court, sworn to uphold the law, and whose duty it is to arouse respect for the law in others, blasphemed the courts, according to the defendant's testimony, and cast such aspersion on the administration of justice in this community that I can appreciate the feelings of the defendant at the time the alleged assault took place. The defendant is therefore discharged."

I made my way through the court room as if I had been accused of a heinous crime and found guilty. My brain was on fire. Deafening noises were in my ears. My eyes were blinded by unshed tears. I felt the humiliation of it all. I had been turned away in disgrace from the portals of justice!

When I found myself in the open air I noticed Nikopopulos by my side. He looked at me piteously; and though I have always been too proud even to crave sympathy his piteous look did not offend me. Quite the contrary. It stirred gratitude in me. I felt the kinship between us; I was possessed of the feeling that one underdog must have for another.

"It's all right, Nikopopulos," I managed to say, swallowing a lump, "we are not licked yet. I'll appeal."

I was not quite clear about this appeal business. But just as the afflicted in their helplessness call for the unknown God the defeated litigant (and lawyer for that matter) finds solace in the word appeal.

## VII

I SHALL not attempt to describe my state of mind and my feelings that day and the following night. I have heard it said that a successful lawyer, like a successful actor, must play his part without immersing his own personality in the part. Unfortunately, I never could do this. I have always taken my client's business to heart more than he himself did.

After a restless night, sleeplessly reviewing the comedy I had witnessed and in which I had played a part, I rose early and went to my office. In fact, I was the first in the building that morning. To my surprise I found a dark young woman, with a complexion which I had read in novels described as olive (whatever that is), at my office door. Clinging to her skirt were two little girls, their black hair streaming over their dainty little shoulders, and a sleeping babe in her arms.

As I was about to open my office door she lurched forward and said, "You Mr. Lawyer? — My man Nikopulos, him arrested —"

She followed me into my office and I soon gathered from her pantomime, rather than from her disconnected phrases, that her husband had been arrested late the night before. On what charge? She did not know. Who had him arrested? That was a mystery to her, too.

"I show you — my man in jail — I show you:" and she tugged at my sleeve.

I followed her to the Sheriff's office, where a deputy confirmed her statement that Nick Nikopulos was in a cell, charged with delinquency and with resisting an officer. Could I see the felon? The deputy eyed me suspiciously for a moment but upon proclaiming my craft he yielded to my request.

My dialogue with the prisoner was carried on through the iron lattice of his cell. I noticed that Nikopopulos had additional bandages: around, and across, and diagonal and over, his head. His black eyes peered from under the strips of white linen like two pieces of charcoal stuck into the head of a snowman.

I learned that the night before the constable (Charlie) and another officer called at the place he called home and informed him that he must not live in such small quarters with a family of six; they had told him it was against the law. Whereupon Nickopopulos told the constable that if he had not robbed him of his machine and tools he might be able to move to larger quarters. And while the Greek and the officers were arguing the children began to cry for food. "We'll have to arrest you for neglecting your minor children," the officers had told him. Nikopopulos thought they were joking but when they laid hands on him he showed fight. The result was too plainly written on his countenance.

I rushed from the jail to the Delinquency Court. I wanted to see the Judge.

"You'll have to see Mr. Weazel," the clerk informed me.

"I want to see the Judge — I want an immediate hearing — it's a very urgent case," I spoke impulsively.

"You'll have to see Mr. Weazel," the clerk repeated emphatically in a tone as if my demand offended him.

"But Mr. Weazel isn't the judge," I persisted.

"Tell it to Mr. Weazel," the clerk replied with unconcealed sarcasm.

I soon found myself in Mr. Weazel's chambers, or rather on the outskirts of his chambers. The air was heavy, mildewy with the stench of rags drenched with rainwater. Mothers with babes at their breasts, fathers

with the fear of Russian despotism indelibly written on their faces, boys and girls of all ages and sizes — crippled and maimed, unwashed and unkempt — were herded together at the entrance. By gradual elbowing I pushed through the throng and presently caught sight of the august person of Mr. Weazel.

He was a little fellow, with a broad, flat forehead, heightened by his receding withered hair; with a fringe of mustache resembling the tail of a mouse; with the beady eyes of a hungry rat. In fact, all his features seemed flat. Even his glossy coat and trousers had a flat appearance. And he seemed displeased with everybody and everything about him, including himself. The perpetual smirk on his lips went well with the rest of his physiognomy.

After a lapse of hours I was permitted to state my case. He listened to me for a moment, then interrupted me with a lecture on the delinquency of the Slav.

I enlightened him that my client was no Slav and that I wanted the Judge to give me a quick hearing because —

"Because nothing," he cut me short. "I'll hear your case."

"I want a hearing before the proper authority — before the Judge," I made bold to retort in lawyer-like style.

"I am not interested in what you want —"

"But —"

"Bring me the files in the Nick Nikopopulos case," he ordered a cross-eyed, swarthy, corpulent, short-legged individual, who acted as interpreter for the foreign speaking element.

When the files were handed Mr. Weazel he leaned back in his chair, passed a hand over his flat cranium, rubbed his flat chin, smacked his flat little lips, and delivered himself in judge-like manner as follows: "Our reports

show that Nikopopulos lives in two small rooms with five children, whom he has of late failed to support. Furthermore, his wife keeps a boarder. We can not tolerate such a state of immorality. It breeds disease; it saps the vitality of the young; it demoralizes family life. Nick ought to get a short term of imprisonment. Perhaps that might reform him."

When I made an attempt to explain the Greek's unfortunate circumstances, Weazel twirled his mouse-tail of a mustache and, waiving me aside, said, "Yes, yes, I know that kind of people. I suppose he spends all his earnings on booze and pleads poverty as an excuse. What's worse, when an officer reprimanded him for his laziness he got into a fight with him."

By this time I had grown impatient.

"Then I demand a hearing before the Judge." I spoke with the self-suppressed calmness that denotes anger at white heat.

"He'll stay in jail until he mends his ways."

"Without trial?" I demanded.

(You see, in spite of my erstwhile experiences I still believed in constitutional rights.)

"He will stay in jail until he mends his ways," Weazel repeated sternly and wound up by laying down the paper weight in his hand with a slam.

"Then I'll be obliged to habeas corpus him — it's unconstitutional!" I retorted.

Weazel now looked at me as if he had just beheld me for the first time. Then he glanced at the dark eyed young Greek woman alongside of me. A change came over his face. It was clear to me he did not like habeas corpus proceedings. So I pressed my point with greater boldness.

"The constitution certainly guarantees every person a hearing — "



"Let it rest till tomorrow and I'll investigate this matter personally"; he changed his tone and looked somewhat softened.

So I let it rest till the following day.

### VIII

EARLY next morning Nikopopulos' wife was again at my office.

"The Judge he was by my house," she explained, and dropped her eyes as if she were hiding something from me.

"What did he say?"

"He said he'd let my man go if — "

Again she dropped her eyes.

"What did he say?"

Although I did not have the least inkling of what was in her mind I felt instinctively that there was something she was ashamed to make clear to me.

"He took my hand and he said if I be nice to him he'd let my man go. And he gave my two kids pennies and told them to go outside to play and when they was out he wasn't nice. I telled him if my man find out what he did to me he'd kill him. He said if I tell my man he'd go to jail for long time."

I did not probe for more details. I went with her to Weazel, the guardian of public morals.

As soon as he caught sight of me he came up and ignoring the presence of the woman, said perfunctorily, though with a slight tremor in his voice, "I turned your matter over to the Judge. He'll give you a hearing this morning"; and he quickly left the room.

The Judge's sanctum, guarded by an officer at the

door, was in a large room across the hallway from Weazel's quarters. Bareheaded women, shawled women, bewigged women, women with infants in rags, with scratched faced urchins, crowded the somber passage leading to the Judge's room.

After many hours of weary waiting Timothy, who was the Judge's door keeper, beckoned to me.

"The judge will hear ye now," he said kindly and patted me on the back benignly.

He was a good natured, tender hearted Irishman whose heart seemed to have softened more and more from the woes and sorrows around him.

The door was closed after Mrs. Nikopopulos and I were ushered in.

Nikopopulos, who had evidently been brought in through the entrance on the opposite side of the court room, rushed toward his wife but a vigilant officer checked his conjugal propensities.

Before a long rectangular table sat a kindly looking bald headed man, but rather seedy and weary; his long legs were stretched out, his body in a leaning posture, as if an upright position was beyond his strength, with the hollow of a long fingered hand hugging his pointed chin. On his right sat a spectacled man, lanky (resembling a pious monk emaciated from long fasting), with a stenographer's note book before him. In front of the table stood Nikopopulos along side a policeman. Two or three newspaper reporters were seated upon the farthest edge of the table. A few fashionable looking "uplifters" were in the background. A thin faced woman of the spinster variety (the kind that knows most about the raising of children and the handling of husbands) stood back of the Judge's chair. The Judge's name was Joshua Balaam. So it was inevitable that the cynical

members of the bar should have nicknamed him Balaam's Ass.

"Tim, what's this case about," the Judge asked in a weary tone and passed his hand over his face.

Tim handed the Judge a card on which was written the history of the case.

Balaam's Ass scanned the card and said, "Miss Potipher, what do you know about this case?"

(Miss Potipher was the probation officer.)

She took a step forward and spoke to the judge in a whisper.

"I object, if it please the court," I interposed, determined not to be tricked any more by technicalities. "This man is charged with a crime, and if any evidence is offered against him it ought to be given in his presence and hearing."

Miss Potipher raised her spectacled eyes in my direction and bestowed upon me a withering look. The Judge grunted, looked amused and puzzled for a moment, and then said, "Who are you?"

"I am his lawyer." My heart beat faster as I noticed the eyes of the gathering suddenly turned upon me.

"So you are his lawyer, are you," the Judge spoke in a facetious tone. "You'll have your chance, young man, when the time comes. Go on and tell us about this case," he turned to Miss Potipher.

"Mr. Weazel tells me that this man has failed to support his family."

"I object!"

I own that I urged my point rather vociferously and with the alertness of a popping champagne cork.

The Judge smiled blandly and rather unconcernedly.

"If the evidence is incompetent I'll disregard it," the Judge ruled. "Go on, Miss Potipher."

"He lives in the most congested part of the Dumps," she resumed in an alarming tone. "I called at his home and found the atmosphere positively foul. Besides their five children they have a boarder. It's over two weeks he hasn't worked. His wife told me this. And when I asked about his delinquency he gave as an excuse that he had no shoemaker's tools to work with. I then sent Officer Corrigan, who was assaulted by this man (pointing to Nick)."

"I object to all this testimony because it is all hearsay evidence," I insisted.

"Don't interrupt the proceedings of the case," the Judge admonished me and rose higher in his seat. There appeared a spark of animation in his faded blue eyes. "The court knows what evidence is, and what is not, admissible, and in the end will sift the grain from the chaff."

He spoke like an oracle. The people around nodded their heads approvingly, in the manner of faithful devotees.

"May I be permitted to get a court stenographer that I might be able to get the court's ruling on record in order to have the upper court pass upon it?" I injected feelingly, though, I admit, with a palpitating heart.

"Young man," the Oracle again spoke, his thick lower lip drooping, "we have no need for all this red tape in this court. This is a court of justice, as you will learn by and by. And don't you interrupt this hearing any more — Mr. Officer, what do you know about this case?"

Corrigan straightened his shoulders, cleared his throat, and proceeded, "Your honor, there is a *dago* neighbor who told me that this here dago is a very dangerous man. He said that a friend of his'n in the Old Country told

him that a mother-in-law of his'n knew a pal of this here dago, and he said that this here defendant once killed a man in the Old Country —"

"I object! I object!!" I shouted, losing control of my temper. "The witness is prejudicing the court's mind by hearsay evidence."

"None of your gab," thundered the Judge, his eyes fixed upon me threateningly. "We don't try cases here your Law School way —"

"But it is contrary to all the rules of law and evidence," I pleaded.

"Keep still!" ordered the man sitting in judgment. "Officer, proceed with the evidence."

"Yes, your honor; and the man told me that he knows it for a fact that this here defendant skipped the Old Country —"

"Me no skeep ole' country," Nikopopulos struck in, at last having evidently grasped the meaning of the policeman's testimony. "Me no keel nobody —"

"Yes, he did," continued the officer. "And he also attacked the constable who attached his machine for which he didn't pay nothin'."

"Yes, me pay for my machine —" This from Nick, as he took a step forward.

"You shut up," the Judge said somewhat indelicately.

When the officer finished his testimony, the Oracle closed his eyes, wrinkled his brows, held his hand over his forehead as if he had a severe headache, and then motioned to Miss Potipher to come closer. She came very close to him and whispered something in his ear. Then the Court addressed the defendant. "Now give your version of the story."

Nikopopulos stared blankly in front of him.

"He doesn't speak the English language well enough,"

I interposed. "He would like to have a Greek interpreter.

"Do you speak Greek?" the Judge inquired of me, with a broad laugh on his face. Everybody present echoed the Judge's merriment.

"No."

"You seem to have been able to converse with him about your fees."

The audience roared appreciatively.

"He speaks good enough English. What do you say, Nick?" The Judge turned to the Greek.

"Me pay for de machine — me no keel nobody — de constable he tooked my tools and I can no vorrek — dat's all, Judge — dat's all." And he stretched out his arms beseechingly.

Judge Balaam again nursed his chin for a moment and pronounced sentence upon the criminal in the following choice language.

"The court is satisfied beyond all reasonable doubt that the defendant is a dangerous man. I know the officer wouldn't fabricate his story. Nor would Miss Potipher prevaricate. He is an idler as anybody can see by looking at him. (The uplifters nodded their heads. They evidently saw this very clearly.) I'll recommend that Miss Potipher look after the family, and the defendant is sentenced to three months confinement in the work-house and pay the costs."

Nikopopulos stared blankly from me to the others in the room, turned this way and that, when the officer tapped him on the shoulder and said, "Come along, Macaroni."

"Macaroni," dazed, the whole performance apparently unintelligible to him, stalked out of the court room, waving his arms and protesting, accompanied by the loud

crying of his wife, the children clinging to their mother's skirt.

## IX

AGAIN I searched the law. I applied myself to the statutes and discovered that I might bring habeas corpus proceedings in another court.

With this luring hope before me I filed a petition, demanding the release of my client; and as the statute provided that a hearing in a habeas corpus proceeding must be granted without delay I was told to present my evidence the following day at two o'clock in the afternoon.

The hearing was assigned to Judge Silas Screech, of whom I had heard despite my meagre acquaintance with the members of the Bench.

One could not help hearing of him after a sojourn in the city of but a few days. He managed to get himself interviewed in the local newspapers on every conceivable subject, from the mooted question about raising large families (which, owing to a statement by that versatile genius Theodore Roosevelt, was then engaging the public mind) to the perpetual controversy whether Shakespeare or Bacon wrote the plays attributed to the former. Having but recently come to the city from some small country town he had achieved a rather phenomenal success in getting himself elected. And while it is true that the means employed by him were of the time-honored variety (of playing the political game as it has been played since the days of Tweed) he had attained his ends in such a brief period that it did seem remarkable.

Young lawyer that I then was, I entertained the fallacious notion (besides numerous other delusions) that

a well prepared brief helped one win his case. With this belief in mind I had spent many hours of assiduous study on the law touching habeas corpus proceedings. And I arrived at the court room well equipped with citations and authorities that, I was sure, would enable me to convince the learned Judge that Nikopopulos was wrongfully deprived of his liberty.

There were quite a number of people in the court room waiting for the Judge, who was in his private room. The defendant, guarded by an officer, was seated at the trial table at which I took my seat. The newspaper reporters (who had evidently been told that something out of the ordinary was about to take place) asked me for the facts in the case, which I gave with a passionate interpretation of the injustice done the unfortunate Greek. I was as yet unfamiliar with the methods of newspaper men and talked quite freely about One Eye Smith and One Leg Jones and Balaam's Ass. The reporters smiled good naturedly (undoubtedly enjoying my naïveté and exuberance) and made rapid notes of all I told them.

Soon the Judge emerged from his private room, followed by Pat Keegan. I wondered at the coincidence. On the day the constable was tried for assaulting me I also noticed Pat come out with the Police Judge from his private room.

Screech mounted the Bench, glanced (angrily, I thought) in my direction and, turning to the clerk, asked which case was set for that hour.

I overheard the clerk mention the title of my case.

"What do you claim in this matter?" The Judge turned upon me fiercely, his face turning crimson, his eyes popping out of his gray head.

I rose rather diffidently, as the Judge's stormy tone,



added to my inexperience, robbed me of my self-possession, and commenced to state the facts in a rather feeble voice.

"Yes, I heard all about your impudence," Silas Screech interrupted me. "It isn't this poor man's freedom you are after but his few dollars which you have evidently not yet exhausted." He paused, glared at me, and turned in the direction of the newspaper men, behind whom, with head erect and his dogfish mouth tightly closed, stood Pat Keegan like a malevolent satan.

For a bare second or two I was stunned. A sudden blow struck on my head would not have dazed me more. All my blood rushed to my brain. The insult to my young manhood, to my honesty, to my sincerity blinded me to all else. All fear had suddenly left me.

The Judge was about to heap more vituperation upon me when I interrupted him. What I said I have not the faintest recollection, nor was I quite conscious of what I was saying at the time beyond the fact that I was refuting his unwarranted insinuations and protesting against his manifestly prejudged opinion in the case.

The next thing I remember is the Judge's pounding the Bench with his fist and screeching at the top of his high pitched voice, his eyes literally shooting out of their orbits, the veins in his neck bulging like swollen glands, foam curling at his lips.

"Another word and I'll send you to jail," he panted, shaking a finger at me menacingly.

The hush in the court room was palpable. I felt the eyes of everybody present upon me. I caught the malicious grin of Pat Keegan. The reporters, I thought, looked at me rather sympathetically.

Instead of a word I let go a flood of words.

"Bailiff, take charge of this lawyer. Mr. Clerk, call

the Sheriff and tell him to send a deputy here at once," the Judge shouted.

The bailiff stepped toward me and touching me on the arm as if to say, "You are under arrest," remained by my side until a deputy sheriff had arrived.

"I'll pass upon the Nikopopulos case tomorrow," the Judge announced, his voice trembling, also his hands, with more foam at his mouth, like one in a fit of delirium tremens. "And you (turning to the deputy sheriff) take charge of Stillwell until the further order of the court."

I remember indistinctly my being led through a long corridor, across the Bridge of Sighs (as the planked passageway from the courthouse to the jail was called), through the stenchy jail entrance. What I do remember as clearly as if I had heard it but yesterday is the clang of the iron door which made a prisoner of me.

## X

ALTHOUGH the turnkey, with evident commiseration, allowed me freedom of the jail corridors I refused to be treated differently from the other inmates and occupied the cell assigned to me. I sat down on the edge of the iron bunk, lit my pipe, and felt quite comfortable. No, I did not consider myself a martyr. For though I have always had my share of human vanity I never posed, neither to provoke sympathy nor to arouse admiration. I felt comfortable because — at last — after many days of surging feelings — I was calm and composed. I felt like one whose vein is opened in order to assuage an acute pain. My pain was somewhat allayed. Mike Toner would not be able to say to me that I had compro-

mised with expediency, I said to myself with an appeased conscience.

After a time the irony of my predicament struck me quite forcibly. What was I to do? Without my law books I did not know what steps to take. I knew that judges were given wide latitude in punishing offenders of their dignity but the extent of their power I did not clearly know. What was I to do? This question began to irritate me as I noticed the day drawing to a close. But just then Mike Toner was ushered into my cell.

"A noble beginning," he exclaimed, with a burst of laughter, as he clasped my hands and hopped upon the bunk alongside of me. "I congratulate you. I'd go to jail for a month myself to have the opportunity of telling Screech in open court what I think of him. The biggest scamp of humbug that ever came down the pike. But if he had thought of the consequences this afternoon he would have checked his brainstorm. Look at this!"

He opened THE CITY DAILY, slapped it into readable flatness, and said, "There you are as big as life."

I stared at the newspaper. On the front page was my picture, with a glowing, exaggerated account of what had happened in Screech's court room. I realized that the reporter must have sympathized with me. For it was eulogistic rather than condemnatory.

"So you had your first taste of an honest-to-goodness fight with a jackass in ermine," Toner exploded and dealt me a fraternal whack between my shoulder blades. "I admire your spunk, my boy. It's more than your father would have done, in spite of his fighting spirit. Your Dad was too conservative for this kind of a fight. Like his religion, his fear of the courts and his reverence for the judiciary were choked down his throat with his mother's milk. I certainly admire your fighting spirit."

I now looked at Toner with different eyes. Instead of the lackadaisical, droll, cynical Irishman I beheld an alert, serious, sober minded man, with a fire in his eyes that I had not suspected could have been kindled.

Finally I said, "What's to be done now?"

"Nothing," he replied. "That scamp has miscalculated. Election is coming and he needs publicity. When he sent you to jail he expected THE DAILY would come out with a three column article about the great Judge Screech, who is protecting the innocent public against crooked lawyers — that was the only motive that actuated him for humiliating you — but since the newspaper ignored him entirely and lauded your spirit he might even try to become your friend. It's a foregone conclusion that he'll order your release the first thing tomorrow morning, if not sooner. I learned of your trouble from a reporter who called at the house to get a picture of you. Luckily I found a snapshot of yourself on your mantel."

"Why did you give the reporter my picture?" I struck in, feeling rather awkward about the publicity I was given.

"Because I knew it would help your cause," he replied, with a shrewd twinkle in his colorless eyes. "It's good, legitimate advertising"; and he laughed.

"Mr. Toner!" I protested.

"I know, I know, it's against your ideals," he snickered, "but you'll find out soon enough that there ain't no ideals in your profession. There used to be — there still is with those of the older school, who are fast disappearing — but not with your generation. You came too late into the world. You'll learn this by and by through bitter experience."

"But what am I to do about my client, the poor Greek? He is innocent —"

"Don't worry about the poor Greek," he tittered. "Screech granted your petition five minutes after he had dispatched you to jail."

"He did! But he didn't know a thing about my side of the case — he never gave me a chance to explain," I voiced my surprise.

"What difference did that make to Screech? He saw a chance of a double-header and grabbed the opportunity."

We were suddenly interrupted by a deputy sheriff who came to tell me that the Judge had ordered my release.

"Didn't I tell you?" burst out Toner gleefully. "He'll even go further. He'll send for you tomorrow and try to make up with you."

## XI

THAT evening I found myself a hero at Schultze's. Mrs. Toner, with her arms akimbo, her ruddy fat cheeks glowing in a light of their own, standing in the doorway between the kitchen and the dining-room, was holding forth panegyrically upon my future career. But I shall make no attempt at repeating her praiseworthy sentiments. I am quite sure the misguided creature meant all she said, for I could see from her admiring glances which skipped from me to Tillie (her daughter by her first husband) that she regarded me as a hopeful possibility. (Only the day before she confided to me that all the fellows were "crazy" about Tillie.) As for Tillie herself, she paused at my chair after she had given me my napkin, which she had inadvertently forgotten to place at my

plate, and said, not without a pretty blush, "I saw your picture in the paper, Mr. Stillwell."

My fellow-boarders, too, paid homage to me. While they had all manifested friendliness toward me they had never shown any special regard for my legal talents, but this evening I could read in their faces that a prophet was not without honor in his own boarding house. Even Albert Tompkins (who seemed to have a super-sensitive fear of being too familiar with his inferiors) bade me good evening in a respectful tone. Archie Gunner greeted me cordially, and boisterously, with, "You have had some send-off in the paper, Guy." (His calling me by my first name pleased me, for he had always called me Mr. Stillwell.) Virgil Tinker joked about the rogues' gallery and about my breaking into print. "Some day I'll boast of having lived in the same boarding house with the celebrated Guy Stillwell," he bantered me. Indeed, I said to myself optimistically, every cloud does have a silver lining.

After the meal, as the other boarders were leaving the dining-room, Tinker offered me a cigarette and followed me to my room, talking all the while in his genial, frothy manner, which was invariably charming. For although I was first prejudiced against him I had found him genuinely modest and democratic and honest. He sat down and I could feel that there was something he wished to speak to me about.

After a space, during which our talk had no particular drift, he said, "Guy, I'd like to say something to you for your own good, and I hope you'll pardon my intrusion. It's because I'm sure you do have talent and you are sincere that I am taking this liberty. Also because I have been in practice longer than you and may give you a few helpful points."

"Fire away," said I, flinging the end of my cigarette away and taking up my pipe. "Don't apologize for giving me advice for I know I am a hot-head and need plenty of it."

"No, I don't want you to feel that I'm one of those who have arrived," he resumed jovially, "and go about telling people how to succeed. I know too well that if I had not come to this city fortified with a letter of recommendation from my uncle, I wouldn't have found such a pleasant berth made for me. I'd have the same struggle as you and many others with more ability than I possess. I don't believe successful men in any walk of life are as conceited as people imagine. In their heart of hearts they know of their own worthlessness. But there is no use shouting your worthlessness from the housetops. It's only the pin-heads who are really conceited."

He paused, lit another cigarette, and waited for me to say something but I did not wish to interrupt him. I liked to hear him talk.

"I think you are making a mistake," he soon continued, blowing a cloud of smoke into the air. "You are making a wrong start. You'll find it doesn't pay to be too antagonistic. At least, not against those from whom you may expect favors."

"Did you expect me to truckle to that paranoiac," I burst out, unable to check my zeal in spite of my inner determination to listen to him calmly, "simply because he happens to be a Judge?"

"We all know Screech is as crooked as a ram's horn," said Tinker laughingly, "but the voters elected him and what can you do about it. Unfortunately, a Judge can be dishonest in rendering opinions, may show favoritism, may commit the basest act with impunity, and unless you

can prove bribery he escapes punishment; and since bribery does not always consist of dollars and cents it can hardly ever be proven. So the best method is to jolly him along. We all do it. You should have seen Melville Norris, the oldest and ablest lawyer at this bar, cringe when he happens to appear before Screech, though, behind his back, I have heard Norris call Screech names not fit to utter. You must make the best of the circumstances. What do you gain by antagonism?

"But the farce of it all — the injustice —" I cried irritably and impatiently.

"The same farce, the same injustice exists in every walk of life," retorted Tinker. "Why not make the best of it? Why not sail smoothly instead of steering over choppy waves? With your persistence and your talents you could, in course of time, make a name for yourself, if you don't pursue the tactics you have chosen. You must compromise — always — or you'll strike a stone wall. Besides, you'll even lose out socially. No poor man's lawyer ever gets anywhere socially."

He paused as if to permit his words to sink deeply into my mind. "Look around and see who are the leaders of this Bar," he presently continued. "Not Mike Toner — although it's conceded he has more brains and knowledge of the law than any lawyer here — nor Ben Hitchcock nor Matt Colvin (lawyers reputed for their ability and integrity yet on the lowest rung of the social ladder), but men like Judge Cadwalleder, Frank Birch and Tom Kingsley, fellows who come in contact with the better classes. To fight the world for an ideal is a hopeless task."

I could listen to him no further.

"Compromise? never!" I burst out sophomorically. "I have no social aspirations; I don't care whether some



of the smug scamps in the profession, who pass as the leaders of the Bar, hob-nob with me or not; I have my ideals and I shall live up to them. I — ”

I never quite finished my burst of eloquence. At this point Tinker rose from his chair with a nervous, “Oh, well,” and bade me good night, as if to say, I am sorry I’ve wasted on you such valuable advice.

## XII

WHEN I had fully realized that my victory in the Nikopopulos case was really a defeat I reflected upon the advice given me by Tinker. Perhaps I had been too antagonistic, I said to myself. So I decided to pocket my pride and make an effort to regain for my client by peaceful means what I had lost by fighting.

With this end in view I went to see Pat Keegan at his office. I hoped to convince him of the injustice his client had done to mine. Surely Pat Keegan did not want his client to keep the loot which was gained by legalized robbery, I said to myself with renewed hope.

Keegan’s office made me feel the mysterious air that shrouded the churches of the Middle Ages. There was an atmosphere of secretiveness about it.

I first entered a small square room which was almost dark. There was an electric fixture in the center of the ceiling but it was not lit. Aside from four dark stained oak chairs there was nothing in this room. The walls, of a sombre hue, were bare.

I turned this way and that and could hear no sound anywhere. I then noticed a narrow side door partly open and leading to another room. I crossed the threshold

and found myself in a square room, also dark, also empty, save for a few chairs and a little square table against a wall, upon which were piled ledgers and journals and documents which were evidently being used in the trial of a case.

I remained standing in this room and was about to retire when I caught the sound of rapid typewriting in an adjoining room. I peered in the direction of this sound and noticed a door which was barely open; not more than an inch.

I paced across the room and rapped on the door. No answer. I rapped again. The sound of rapid typewriting continued but no attention to my knocking.

I then pounded upon the door.

"Come in!"

This was uttered in an angry, impatient voice, without interruption of the rapid typewriting.

I pushed the door open and "came in." This room was long and narrow, with a long rectangular table almost the length of the room. At one end of the table sat Keegan pounding the keys of a portable machine. He did not turn his head as I came in but continued striking the keys of the machine for a few moments and then looked up at me, without a gleam of recognition on his face, and said, "Is there anything you want to see me about?" His voice was frigid; it sounded like the metallic utterance of a well enunciating graphophone record.

"Yes, I should like to speak to you about the Nikopopulos case," I said rather softly, bearing in mind Tinker's advice.

"I thought you had enough of the Nikopopulos case." There appeared a smile on his face, the smile of the fellow who gloats spitefully over the defeat of his adversary.

"But I should like to place the whole matter before you —"

He rose suddenly from his chair and said "Come into the next room. If you have a proposition of settlement to make."

I followed him. This room was evidently his private office. It had no outlet and had no windows but was well lit up by a four branch chandelier. At a large flat-top desk was seated a young girl copying.

"Agnes, step out," he said abruptly.

The girl rose from her chair, also abruptly, and cat-like (it reminded me of Keegan's stealthy walk) pattered out of the room.

"Take a seat and state your proposition," he said in a harsh, unanimated tone, lighting a cigar and throwing the match into a colossal cuspidor.

I took a seat rather restively and caught sight of the picture of Leo XIII on the wall facing me. There was no other picture anywhere. On his desk was a little photograph of a celebrated cardinal.

I then stated my proposition. I told him that no matter what the court decided the fact remained that this poor Greek's machine and tools were taken in satisfaction of a judgment against another man and —

But Keegan cut me short.

"I try a case once — I don't argue it again unless I am compelled to appear on appeal. I thought you wanted to offer a settlement."

"But why should this poor Greek pay the debt of another," I stammered; "where is the justice of it? Surely the City Machine Company doesn't want this poor man's tools?"

"I am not running a charitable institution. We had our trial in court and licked you (he pronounced "licked"

with a peculiar relish) fair and square. No underhanded methods were used, no subterfuges." His brogue was becoming more pronounced.

"But you know Nikopopulos was not the judgment debtor of your client," I made an appeal to his sense of honor. "Law or no law, where is the justice of it?" I reiterated. There were almost tears in my eyes. "I admit I am inexperienced in the practice of law and didn't catch on to the trick —"

Keegan rose from his chair as if stung.

"Mr. Stillwell, I want you to understand that I resort to no tricks. I follow the law. I don't make the law. Nor do I have a school to teach beginners the law. You had your day in court and were beaten — that's all there is to it."

He was frowning, drawing at his cigar, and shifting his eyes irritably.

A thousand thoughts flitted through my brain. A thousand utterances leaped to my tongue. But I stifled them all. Opposite me was the benignly smiling face of Leo XIII, his skull cap on the crown of his head, the flowing robe of his sacred office falling over the seat of his pontifical throne. Mutely, pensively, I turned from the picture on the wall to the bald-headed Keegan, with his dogfish mouth, his shifty gray eyes, his sparse eyebrows, and checked the flow of words that sprang to my lips.

### XIII

THE publicity given me in the newspaper brought down upon me a deluge of business, but poor man's business, with even less than poor man's pay. My legion

of clients all seemed to have worthy causes — and they were all fighting for “the principle of the thing” — every one intimating that if I won his case I’d make a great name for myself, but the amounts involved were negligible, the labor endless, the remuneration less than meagre. Besides, the class of work that came to me was chiefly of the Justice of the Peace and the Police Court variety, and in these courts I was *persona non grata*. My task was doubly difficult. Every lawsuit I engaged in meant a skirmish — with the Justice of the Peace, with the constables, with the Police Judge. The last especially signalled me out for sarcastic attack every time I appeared before him. And taking the hint from His Honor, the officer who had charge of the docket, saw to it that my clients’ cases were called last; and as a result of this discrimination I was often obliged to hang around the Police Court till the close of the day, and even then it was not infrequently postponed for a later date.

At the end of the third month I had in my treasury scarcely enough left for one week’s board but I had taken a vow that come what might I would not tell my parents of the state of my finances. (I had been telling them that I was doing well and would not for the world tell my mother that defeat was staring me in the face.)

My original capital of three hundred dollars given me by my father was gone. And to aggravate my predicament, while I was debating in my mind whether or not to give up my office and look for employment, my stenographer, her hazel eyes blinking, informed me that she was going to quit. Not because she did not like to work for me, she added, but because she was inexperienced and needed practice, which she thought she would not likely get in my office for many years to come. Her naïveté made me smile (quite bitterly, I own) and I

said that I hoped she would not air her reasons for leaving me too freely. "Oh, no," she responded quite innocently, "our teacher at the business college told us that a girl ought never repeat what passed between her and her employer." After she had left I vaguely wondered what she meant.

The following gloomy October evening I found myself in my room and, as is common with dreamers and bookworms, mused upon the queer turns in the road of life. Musing to me has always been what action is to other men. I recalled Tinker's proffered advice again and again. Not that I have ever been benefited by advice — impulsive people rarely are — but it set me thinking along lines quite foreign to my natural trend of thoughts. I wished to give up my "private practice" and look for employment, but then — I was overcome with a sense of abjectness. Such a step would mean failure! I now realized that I was beaten in the first round in the struggle of real life.

#### XIV

BUT whatever sceptics may say about the ways of Providence one can not escape the compelling fact that there is an Intelligence that apportions things in life. In the end things balance. My own experience teaches me that when life runs smoothly something unexpected is sure to ruffle it and, on the other hand, when everything seems to go against one there is an equal certainty that help will come from some source.

On the day I decided to look for employment I received a telephone call from the office of Mark Leffing-

well. I had heard of Mark Leffingwell before. He was the envy of all the young lawyers and the despair of the older ones. His earnings were said to be fabulous. He was a thorn in the flesh of the "corporation lawyers." The verdicts he had won at the hands of juries were staggering.

I entered the large waiting room of Leffingwell's offices and paused with unconcealed bewilderment. People on crutches, people with bandaged heads, people with arms in slings, legless people in invalid chairs, armless people, people in every deformity filled the spacious room. I stepped back into the hallway to make sure I was in the office of Mark Leffingwell. No, I had made no mistake. I was not in a surgeon's office. On the door, in letters as big as life, was inscribed his name and his calling.

"Do you want to see Mark?"

I turned around and beheld a short, weazen faced fellow of an indeterminable age — he could have been forty-five and just as likely twenty-five — with a bulging upper lip that curved slightly to the left and seemed to form an aperture just large enough for a cigarette, which was then protruding from that corner of his mouth. A stiff hat, resting upon his oblong head at a sharp angle, made him look shorter than he actually was. Two streaks of smoke were emerging from his nostrils as he faced me.

"Yes, I want to see Mr. Leffingwell," I replied, standing in the doorway.

"Is it your own matter or —?"

"Of course, my own," I stammered, not quite grasping the trend of his inquiry.

"Step this way," he whispered, beckoning to me with a toss of his head, as he moved aside in the hallway.

I followed him.

"Let me handle it for you. I'll split with you. You see, I get fifty-fifty while the other guys only get one-third.

"I don't quite understand you," I blurted out innocently.

"That's all right. You don't have to say nothing. I'll do all the talking," he spoke precipitously.

And before I had a chance to gather my wits he led me through the reception room into a private office.

"Shake hands with Mr. Leffingwell," my strange companion did the honors of introducing me.

I raised my eyes and saw before me a colossal mahogany flat-top desk, upon which stood a large silver vase containing a huge cluster of American Beauties. Screened by the magnificent flowers, and directly back of them, sat Mark Leffingwell, drawing at a long cigar.

"What is the name, please?" Leffingwell leaned forward as he put this question in the tone of the old-time Shakespearean actor reciting "To be or not to be," and extended his hand to me, with a smiling, almost glowing, light upon his face.

"Guy Stillwell," I lisped rather timidly, as he clasped my hand most cordially.

"Ah, Guy Stillwell," declaimed Leffingwell, and puffed at his cigar as if punctuating his words. "Take a seat, Guy," immediately lapsing into a tone of familiarity. "I have heard of you a good deal — let me see, who was it that spoke to me of you? Yes, I recall it now. It was my friend Judge Screech. He thinks you have talent and spunk, I dare say. And by the way, when I come to think of it, my dear friend Mike Toner spoke of you quite flatteringly. Mike is a great chap. Quite a genius, I dare say."

He said this in a flowing tenor voice, enunciating every



syllable after the manner I had heard "Portia's speech" recited at the High School, and wound it up with a soft laugh.

Then turning to the man who had ushered me into his office he added, "Henk, this is the young lawyer I mentioned to you yesterday."

"Henk" seemed only half pleased. He gave a gulping pull at his cigarette, exhaled a fine ribbon of smoke, and said, "O, you are the fellow Screech sent to jail for contempt."

Leffingwell evidently noticed my embarrassment and said with another roll of soft laughter, "You need not be embarrassed. Screech rather likes you. Judge Screech is a great fellow: he'll send you to jail one day and become your best friend the next. I've had many a tilt with him myself, but he has a great heart." He paused a moment, adjusted his bright colored cravat, pushed back his curly lock (which he let fall over his high forehead *a la* Beaconsfield), and raising his face upward, as if posing for a photograph, added, "I hear you have a vocation and an avocation — you also write stories — In my college days I also entertained hopes of becoming a writer — poetry was my hobby — but, alas! the lowing of the golden calf lured me away from the dulcet tunes of Apollo's lyre. You can't make seventy-five thousand a year at law and pen verses at the same time."

He paused again and looked at me as if to see what impression the last statement had made on me.

I said something to the effect that judging from my recent experiences there was no danger of the golden calf luring me from my avocation.

"I'll be glad to give you a chance in this office," he said indulgently. "I'll start you on a hundred a month."

(I thought then that he was not only a great lawyer and poet but also a philanthropist.)

"Henk," he presently turned to the fellow with the shrunken face, "Guy can have Frank's desk. I won't need you in court today and you can show him the ropes (my heart skipped a beat as this poetical lawyer lapsed into slang).

Shortly Leffingwell went to court while Henk took charge of me.

"That's a good one on me," laughed Henk. "I mistook you for a dago who used to 'run' for Kelly & Kohn. You don't look like a lawyer. You ain't shrewd enough, I guess. But you'll learn the game if you stay in this office a while." And he snickered, showing a row of rotten teeth and what I supposed was a black tooth was the vacant space of a missing one.

His reference to my noble profession as "the game" jarred upon me.

Our talk was soon interrupted by the entrance of a man known as Twist (because, as I later learned, one of his arms, due to an accident, was twisted and the hand cut off at the wrist), who carried on a short whispered conversation with Henk.

"Is it all set?" Henk asked.

"Yep," replied Twist, and disappeared.

Then Henk turned to me and said, "You come along with me, and I'll *learn* you the tricks of the trade quick enough." His tiny, snappy blue eyes winked ingratiatingly.

Henk's tone, his manner of speech, his gestures, his whole appearance repelled me. Somehow (perhaps it was the suggestion of Twist) I was reminded of Fagin and his pupils.

As I was about to flee from Henk and his surroundings

I was drawn back by the same personality that filled me with revulsion. It was not the prospect of the "golden calf" — Mark Leffingwell's lure — nor the fascination of the legal career, that now held me but the strange atmosphere around Henk. It was my avocation, as Leffingwell had put it, that bade me stay. That morning's episode seemed to me like the opening chapter of one of Dickens' novels. Henk seemed to me bodily lifted from the pages of one of Dickens' novels; and incidentally settled for all time, to my own satisfaction, the controversy often carried on among literary critics regarding Dickens' fidelity to real life. I felt steeped in an atmosphere of fiction. And I followed Henk with the same breathless avidity with which I had followed the pursuits of Uriah Heep, Fagin, of Murdstone and of numerous other creatures of that great master.

At that period the automobile was still a novelty and the sight of Henk cranking a machine gave me a thrill of the mysterious (I felt the plot was thickening). "Jump in," he said as he, panting, threw the crank into the car.

The next moment we were off on our mission, Henk's tongue keeping a steady pace with the rattle of his automobile. He was enlightening me on some points of law pertaining to "the personal injury business."

"Are you a lawyer?" I asked.

"Naw" — there was disgust in his voice — "I ain't no lawyer. But I'll bet I've made more money this year than many a lawyer that's practiced twenty years. Mark will tell you, I'm his best runner." There was pride in his voice.

"Runner? What's a runner?"

He glanced up at me, eyed me queerly, and gave an inner chuckle.

"Say, when was you born? Did you say you was a lawyer?"

"I don't know much about the lawyer's business," I owned modestly.

"I should say you don't"

He suddenly grew absent minded. We reached the part of the city known as The Dumps, the factory district, with dingy, smoke-coated, dilapidated frame houses everywhere, and he had just made a turn into a narrow alley.

"This here case we are going to get signed up is a beauty! — a leg broken off above the knee, a three-inch gash across the forehead, three broken ribs, injured spine — that's a pippin!" He tossed his head and clacked his tongue with inexpressible delight. "Say, what Mark won't do to this here defendant! I can already see the cripple wheeled into the court room, Mark's eyes rolling from the invalid chair to the faces of them jurors, and then back to the invalid chair. And the fireworks start. 'I object! I object!' them corporation lawyers holler (and he imitated the voice of the imaginary objector); and Mark, as smooth and as oily as a well greased axle, looks up smilingly at them mad lawyers, and says, (now imitating Leffingwell's voice). 'Do you object to have this honorable body of your peers — these twelve gentlemen in the jury box — do you object to have them know the truth as to how this pathetic figure in the invalid chair — this cripple, who once could walk as firmly, and perhaps as arrogantly, as any of you little brothers of the rich — (rolling his eyes in the direction of them corporation lawyers) — how this poor man who used to embrace his wife every morning, with his six little kiddies clinging to his limbs, as he would leave for the shop to earn his livelihood by the sweat of his brow — do you

object to have the facts known about this remnant of the man that he once was, and now glances longingly — nay, yearningly — at you and me, who move about freely — and this poor man unable to move without the support of crutches, without the aid of an invalid chair — Well, have your objection! I won't press this point.' And Mark sits down with a loud sigh, his face as clouded as an April sky, and the twelve bone-heads in the jury box pull their red bandannas to wipe their rolling tears away and wipe their noses. Some sight that, I tell you."

We had stopped in front of a rickety tenement but Henk was so absorbed in his description of the imaginary trial that he would not get out of the automobile until he had completed his peroration.

Now Henk led the way and I followed.

First we passed through a long smelly corridor, then we climbed a broken staircase, another dark stenchy corridor, after which Henk paused and rapped on a door. We could hear voices within but no one answered to his knock. Henk rapped again but without attracting attention. He finally lost patience, pounded on the door and opened it almost simultaneously. I followed timidly behind.

We now found ourselves in a room that seemed like a kitchen, although a bed stood against one of the walls. Henk's glances were flitting from one to the other of the gathering, and his glances were anything but pleasant. A woman, whose back was turned toward us, was waving her arms eloquently and saying something to three men facing her. (Her English was broken and the fragments scarcely gave any inkling of their origin.) Then a young man of unmistakable foreign nationality, who was evidently interpreting for the two men next to him, began to jabber, making frantic gestures and evidently endeavoring to drive home a convincing argument.

At this point Henk broke through the line fiercely, like a football tackle, and, shoving the interpreter aside with undisputed authority, addressed the other men jeeringly —.

"What are you's guys doin' here? I've got the case. Had it signed up yesterday, and I have all the witnesses in my *mit* (displaying his fist to them as if he had them in his hand literally) — see?"

"And who are you?" the interpreter launched a brazen counter-attack but without showing much confidence in his strength.

The two other men peered wrathfully at Henk.

"Who am I?" Henk flared up indignantly. "I am from Mark's office. We had it signed up half an hour after the accident happened." He glowered at them all with a look of dismissal.

I could see that the name of Mark overawed them.

"She," pointing to the woman, whose head was covered with a large woolen shawl, evidently prepared to leave, "has just told me she didn't yet give the case to nobody," the interpreter protested.

Now the woman turned around and catching sight of me spread out her arms with a cry of joy, "Ah, Mr. Lawyer — he call your name all de time — my man he vant you."

"Mrs. Nikopopulos!" I also exclaimed, amazed at the strange coincidence.

Henk now stuck his thumbs in the armpits of his vest and eyed the three men before him slyly.

"Gaw-on," he jeered, "the show is over."

The interpreter spat on the floor and muttered an ugly oath as he turned to the door, and the other two shambled along after him, with disgust on their faces.

The field having been cleared of the enemy Henk ad-

dressed himself to Mrs. Nikopopulos with suave loquaciousness.

"Me a partner of Mark Leffingwell — the great lawyer," he began — evidently imagining foreigners understood broken English best — me got the witnesses — you und'stand? Me got five witnesses — (Henk spread out the five fingers of his left hand in the shape of the tail of a strutting turkey) — and me get you fifty thousand dollars — (bringing the fingers of both hands together five times) — "yes, fifty thousand dollars."

"He my lawyer," poor Mrs. Nikopopulos shrugged her shoulders, with a wave of her hand in my direction. "Him good man."

"Yes, he, too, Mark Leffingwell's partner," Henk instantly made room for me in the firm. "You'll have three lawyers (and three fingers went up eloquently) — Twist, what are you doing here?" And he suddenly turned to the young man minus one hand with whom he had carried on a whispered conversation earlier in the day. Twist had slipped into the room unnoticed by me.

Twist stepped forward and shook hands with Henk as if he had not seen him in years and was just renewing an old acquaintance.

"Dis woman from my country," Twist dropped into the same vernacular. "Her man and me good friends. Too bad, dis woman's man hurt."

"Is she very poor, Twist?"

"Very, very poor. Her man lost his tools in a lawsuit," he recited history well known to me. "And den when he goes to vork gets hurt — too bad."

"Give her this (and Henk handed Twist a twenty dollar bill) and tell her if we don't get fifty thousand dollars she need not return the money."

Mrs. Nikopopulos shrank from touching the proffered money and looked at me with evident embarrassment.

"Tell her, Twist, how much we got for you when you was hurt," suggested Henk.

Twist spoke voluminously for a moment or two in Mrs. Nikopopulos' native tongue and exhibited the ugly stump of his hand cut off at the wrist and his crooked arm.

The poor woman took the money and then a dialogue ensued between her and Twist.

"She says her man went to work in the morning as strong as *the* ox and then some lawyers come and tell her her man got hurt in the shop. She says there was thirty lawyers here since last night and gave her their cards —"

"Tell her the other lawyers wanted to rob her and she should tear up them cards," counselled Henk.

Mrs. Nikopopulos again let loose a flood of classic verbiage and pointed to a bouquet of full blown roses.

"Tell her we sent them to her with our compliments," Henk prompted Twist.

The door opened and four youngsters rushed in. Henk immediately engaged them in a conversation, patted them, and gave each a dime. The children, like their mother, at first refused to accept the gifts but the exchange of looks with their mother gradually turned them into a receptive mood.

Then followed a long talk between Twist and Mrs. Nikopopulos in Greek, which was rendered to Henk into Twist's English, and after many questions and counter-interrogatives it was decided that we all go to the hospital, where Nick was confined. Incidentally Henk gave her to understand through the interpreter that "the company" had already offered him ten thousand dollars to settle the case but that he spurned such a paltry sum.



"Nothing less than fifty thousand dollars," Henk reiterated with great emphasis, 'and then you can have your own house and piano and carpets on the floor and won't have to work so hard."

She apparently grasped the meaning of Henk's words without the aid of the interpreter and a sunny glow spread over her face. Yes, she was now ready to accompany Henk to the hospital "to sign up."

As soon as we were in the automobile — Henk and I in front and Twist and Mrs. Nikopopulos in the rear — Henk whispered to me, "We have got it sewed up all right."

"I thought you said you had it signed up last evening," I remarked.

Henk gave me a side glance, chuckled, and said, "You certainly are a boob — that's the game. I had to get rid of those shysters. Once they find it's signed up they drop out. Competition in the personal injury business has been too keen of late."

I heaved a sigh. I again recalled Toner's disparaging comments when I first went to see him. It was he who spoke of the legal profession — the noble career I had dreamed about — as a game. But I stifled my sensitiveness. The "story" side of this game aroused my curiosity. I decided to see it through.

We soon arrived at St. Agnes Hospital, Henk in the lead.

With his hat off, his cigarette absent from its wonted place, Henk stood facing the rigid-looking, mask-like face of the Mother Superior with all the solemnity and the humbleness of a devout Catholic at confession. His face had suddenly become the very expression of affliction and distress. He briefly explained to the Mother Superior that he was Nikopopulos' brother, that the woman

back of him was his sister-in-law, and that they wished to see the injured man. The Mother Superior informed him in a scarcely audible voice that there had been such a run of lawyers after this case that she had given orders that none but the members of his family should be admitted.

"It's terrible, Mother Superior," assented Henk lugubriously and, giving his speech a foreign intonation, wiped an imaginary tear from his eye, "how them lawyers have the heart to bother the poor man, when he is in such great pain. Them lawyers only think of the money." Henk's voice sounded tearful. "But we are the only relatives my brother has got. We want to see if we couldn't take him home and save hospital expense. If the company doesn't pay nothing he won't be able to pay hospital bills — he is so poor —"

The Mother Superior softened perceptibly. She remarked that the hospital was losing thousands on accident cases.

"And who are the other people with you?" she asked with a sweeping glance at the rest of us.

"This (pointing to Twist) is Mrs. Nikopepulos' brother and this (indicating me) is the man of the invalid carriage — he'd like to see if my brother could be moved," was Henk's ready answer.

For a moment I was nonplussed. His boldness, his deception, the whole incident seemed to me so much like a stage scene in a farcical play that I was robbed of speech. I am ashamed to confess that my silence under the circumstances was an unforgivable falsehood; and the only true excuse I can offer is that the whole thing was so brazen that I could not think quickly enough of how I could extricate myself of my equivocal position, and, besides, "the fictional interest" held me spell bound.

The Mother Superior pressed an electric button. A Sister presently appeared and led us to Nikopopulos' ward. We followed in grave silence.

We found our victim writhing in pain, scarcely conscious. He was badly injured. I learned that after his release he moved away from his former dwelling and for want of funds with which to buy new tools and resume his trade he went to work in a tool factory, where he was caught in a wheel and sustained these injuries.

As soon as the Sister left, an "interne" came in. He beamed jovially upon Henk and shook hands with him.

"Hello, Doc," Henk greeted him cordially. "Is it as good as it first appeared to you?" (this in a lowered tone).

"Better," the white-clad young physician spoke through his teeth, while he was pretending to feel the patient's pulse. "I had some job keeping the other lawyers and 'runners' away. What did you tell the Mother Superior?"

"The old gag — I am his brother"; Henk showed all his rotten teeth at once as he laughed.

The physician laughed, too. "You're a bird," he commented.

Henk then introduced me, and I noticed them exchange glances.

In the meanwhile the grief-stricken wife had settled upon the edge of her husband's bed and was patting his arm tenderly.

"I don't believe he is conscious," the physician murmured. Henk then produced a typewritten sheet and a fountain pen while the "interne" stood at the door as if guarding it.

"Ask her if he can write?" Henk inquired of Twist.

She answered in the negative.

Henk then placed the fountain pen in the hand of the

unconscious Nikopopulos and, addressing Twist, said, "Tell her when he puts his mark on the paper we'll get her the fifty thousand."

The imprint of a cross having been made through the skillful dexterity of Henk he placed the typewritten sheet in his inside coat pocket and the interne stepped forward.

"The usual divvy," murmured Henk.

"I think I ought to get a little more in this case," bargained the physician. "I ran some risk this time. The Mother Superior suspected."

"Mark will make it all right," Henk assured him.

The interne disappeared.

"Now we must go to see the witnesses," Henk turned to me.

"I thought you said you had them."

In answer to my remark Henk lifted his eyes ceilingward with a funny grimace on his face and said, "Come along and learn the rest of the game."

## XV

INDEED, I had scarcely grasped the first principle of the game. I was a "boob," and a very gullible one at that. And though gullible I have remained to this day, in spite of my varied experiences in life and in spite of my innate scepticism, paradoxical as it may seem, I look back upon that period of my life with a great deal of amusement. I had read so many books of the "realistic school" which had revealed to me the treachery, the greed, the duplicity of human nature, and yet whenever I came in actual contact with the basest of men I failed to appraise them at their true value. Knowledge of human nature in the abstract and knowledge of human nature in specific instances is not the same thing. So in spite of

having seen and heard Henk misrepresent and lie I hardly suspected the next step in "the game."

From the hospital Henk drove to The American Tool Company and on the way stopped to pick up a legless Slavish fellow. The tool manufacturing plant spread over many acres and was constructed in a U shape. The enclosure was filled with the noise of whirring wheels and the screeching of saws and the chuckling and snorting of engines.

Henk drove his car close to the office door and jumped out in a hasty manner as if every second meant life and death. I hurried after him. The Slavish fellow, whom he called Vlasek, limped along after us.

Henk approached one of the men in the office hastily and asked to see an employee by the name of Vladislav Kolokolchick.

"We don't permit any one to see the men at work," the office man in shirt sleeves responded, without looking up from his work.

"But this is most urgent, Mr. — most urgent," Henk spoke impressively, with a touch of pathos in his voice (while he was speaking he produced a leather cigar case from his vest pocket, stuck one cigar in his own mouth and held the case before the man inside the partition) — "Have a smoke."

The man took the cigar and as he was about to place it in his vest pocket Henk struck a match, handing the light to the man in the office.

"Thanks. Can't smoke — against orders"; and he smiled rather good naturedly.

Henk leaned against the office railing, standing on one leg and crossing the other, and said in a confidential tone, "I am sorry for these Slovaks. This fellow Kolokolchick had saved and saved until he accumulated enough to buy

a steamship ticket for his wife and kids, and now when they come across the immigration authorities would not let them land because one of the kids has a sore eye or something. The authorities demand a bond that the family won't become a public charge."

The man inside the railing raised a pair of sympathetic eyes. Henk instantly waxed eloquent.

"Fortunately," he added, "we have made a collection and will furnish the bond and we want him to start for New York immediately. Can't you help us out?" Drawing at his cigar and leaning against the railing Henk looked beseechingly at the man in the shirt sleeves.

Without replying the man touched a button.

"Fetch Vlad Kolokolchick," he ordered.

"Thanks, ever so much," Henk spoke politely.

"Since that Greek — what's his name — Nikopopulos — ~~was~~ hurt the other day about a dozen ambulance-chasers have been here to bother us," explained the man somewhat apologetically, "so I have refused admittance to everybody."

"We won't intrude upon you here," Henk said, as he noticed the approach of a tall, sandy haired man, in an undershirt and sooty trousers, following the boy who had been ordered to fetch Kolokolchick; and thanking the man once more we walked outside.

Now Vlasek was the interpreter. Henk had told him to tell Kolokolchick to come along with us and explain all about the accident.

"He say he can't lose a day's wages," Vlasek interpreted.

Henk fished out a five dollar bill from his pocket and pushed it into Kolokolchick's hand.

"Tell him to come along with us and he'll get plenty of money," said the magnanimous Henk.

The Slovak's sooty face brightened. He crumbled the money in his fist and nodded his head.

After some explanations from Vasek, Kolokolchick went back into the factory but soon returned, buttoning his shirt and pulling his coat on. Several workmen around the plant stared enviously at Kolokolchick as he got into the automobile.

On the way to Leffingwell's office Henk put questions to Vasek and he in turn clothed them into Kolokolchick's vernacular.

"He say he had his face turned when the Greek got hurt," Vasek interpreted.

"Tell him it makes no difference;" Henk now slowed down his machine and turned upon Vasek significantly. "He mustn't tell that. All he has got to tell is that the machine on which he and the Greek worked did not work right — you unde'stand? — that something was broke — and that he had told that to the foreman but the foreman ordered him to go on and work — you unde'stand?"

Vasek evidently understood. For at this point he talked to Kolokolchick a long while, and made many gestures, during which at first Kolokolchick seemed to make objections but finally scratched the back of his head, and murmured, "*Tak — tak* (so)," and seemed to agree with Vasek.

"He says he thinks that's so," at last Vasek imparted to Henk.

"Tell him a witness in court mustn't say 'I think.' He must say 'I know' — you unde'stand? If he says I think the Judge mightn't believe him and he gets no money and the Greek gets no money."

Some more talk between Vasek and Kolokolchick.

"He says the lawyer must tell him what to tell the Judge," explained Vasek.

"That's right — that's the stuff," cried Henk triumphantly.

By the time we reached Leffingwell's office Henk and Kolokolchick had become fast friends. On the way Henk had stopped at a saloon to get a drink but I remained in the automobile. And judging from Kolokolchick's loquaciousness on his emerging from the saloon, with one of Henk's cigars between his teeth, he must have had an abundance to drink.

As soon as we got back into the office Henk took Kolokolchick into Leffingwell's private room, where he dictated a "statement" covering a few pages, at the bottom of the last of which Kolokolchick affixed his scrawl. He was then told to wait for "Mark," which Vladislav Kolokolchick, heavy of tongue, with drooping head and arms, did, leisurely reclining in a large armchair and drawing at one of Henk's cigars.

About noon Mark arrived, with an expensive looking brief-case under his arm, radiant with smiles, followed by his assistant, a cripple on crutches, the plaintiff in a case then on trial, and a friend of the cripple.

"Well, Henk, my boy," Mark said jovially, "how is the poor unfortunate Greek getting along?"

While addressing Henk, Mark leaned over his desk and put his little nose to the American Beauties on the table, with an expression on his face as if the fragrance of the flowers almost overwhelmed him, and then settled into his soft cushioned chair.

"The fellow is in bad shape — very bad shape," reported Henk. Then turning to Kolokolchick, who had dozed off in the meanwhile, he shook him by the arm and said, "This is Mr. Vladislav Kolokolchick, who was at work with Nikopopulos at the time the accident happened. Here is his statement."



Mark winked to Henk, who was standing at attention, with his chest thrust forward, his hat cocked on one side, the aperture in the left corner of his mouth showing the missing tooth rather conspicuously. While Mark's eyes were scanning the "statement" Henk's eyes rested studiously upon Mark's face.

"Vladislav will get us two more witnesses," added Henk.

"Poor, poor Nikopopulos" (he pronounced it "poo-er — poo-er"), sighed Mark, shaking his head compassionately. "And the poor unfortunate man has a wife and six little children — what a terrible catastrophe, what a cruel fate!"

Then, turning to Vasek, he added, "Tell your friend, Kolokolchick, that he can help the poor, unfortunate Nikopopulos very, very much, and I'll see that he is well taken care of."

Vasek conveyed Mark's words to Kolokolchick, who nodded his head drowsily and murmured, "*Tak — tak.*"

After Kolokolchick and Vasek had departed Mark said to Henk "You must get at least one English speaking witness."

"Leave it to me," Henk responded reassuringly.

It is only now that I am able to set down my observations and impressions of that period with any semblance of analysis. The lapse of years has given me the right perspective. For since then I have spent many, many hours of retrospective musing on the incidents of those days. But while in the act of living through those experiences, I only tugged and pulled at the bit and galloped madly on for a time and when one set of reins was torn it was exchanged for another. Such is the history of youth, and especially that of rebellious, self-willed youth.

## XVI

WHEN the first day at Leffingwell's office had passed I went to my room, turned the key in the lock (pretending not to hear Mike Toner's knocking, which he often did for one of his vitriolic diatribes), threw myself into a chair, and felt the misery of useless living. I felt I had lived years in that single day, years of self-torture. Although I had done nothing wrong myself the inner consciousness of having come in contact with this sordid phase of human enterprise, under the guise of pursuing justice, left me in a state of self-debasement. After brooding hours, during which I paced the floor and puffed at my pipe incessantly, I decided to quit Leffingwell and his associates. But no sooner had I reached this conclusion when a cross-current of thought bade me stay. Besides, my eagerness to learn of Nikopopulos' fate compelled me to remain at my post for a time at least.

Fortunately my experiences of the first day were not repeated. Henk must have informed his master that I was not an apt pupil at getting people to "sign up." Leffingwell called me into his private room the following morning and told me that my work thenceforth would consist in assisting him in trial work and incidentally dropped a few remarks of "helpful advice."

"In trial work," he said rather sagely, "you must not show any antagonism. (I recalled Virgil's advice.) Argue but don't antagonize. Never show anger, at anybody, at anything. Smile no matter how much it pains you. A witness on the stand gives damaging testimony, smile; the Judge aims insults at you, grin and say thank you, and when you meet him after the trial smile even more

cordially than ever, for you'll have to appear before him again — unless it be at the end of his term of office — when you can tell him to go to hell; your quarrels with your brother attorneys across the trial table should never be so bitter that you can't talk to them pleasantly after the case is over; if you think the Judge has rendered a partial opinion — even if you are conscientiously certain of corruption — make the scamp feel that he is the soul of honesty and pretend that you mean it, and smile all the time. But don't flatter the jury too much. This trick has been overdone. It is best to make them feel that you curry no favors, but at the same time smile to them — and behind their back at them — (Mark laughed like a chuckling brooklet) and make them feel that the Judge and the opposing counsel and their clients are all against you, and that they, the jurors, your peers, are your only friends in the court room. As to the evidence and the law, neither counts these days. If the Judge is against you he'll always find a point of difference between the law you cite and the case at bar, no matter how analogous; and as for the jury, they don't give a hang about the evidence — it is my speeches — the pearls I cast before the swine that has won me verdicts." And he laughed self-complacently.

And though his advice of compromise grated on me I followed his counsel for the moment and smiled. Moreover, I heaved a sigh of relief. Besides the riddance of Henk and his methods I was delighted at the opportunity of "court work." Every young lawyer cherishes rosy notions about "pleading" before a jury. It is only the lawyer mellowed by experience that shuns the court room as the ruined gambler shuns the green tables.

I own, in spite of the qualms of my conscience, I used to walk down the main Avenue, through the Square,

alongside of Mark Leffingwell, with a sense of pride. Mark seemed always self-conscious and strolled on his way to the court room as, I imagined, the great Gambetta must have walked to the French National Assembly to deliver one of his impassioned speeches. I am quite sure Mark thought himself as brilliant as that eloquent French statesman. He smiled to everybody, greeted every acquaintance, and thrust his chest forward whenever he was passing a comely woman. He seemed as proud of his clothes ("made by the finest merchant tailor in New York, you know,") as the peacock is supposed to be proud of his feathers. His dress was just eccentric enough to attract attention, without being out of style.

When I come to think of my gullibility of those days I begin to realize the unreliability of circumstantial evidence. Any one knowing me in those days, and modesty does not forbid me to say I was credited with more brains than the average lawyer, and knowing my close association with Mark Leffingwell, would not, could not, believe that I was wholly ignorant of the "system" by which he succeeded in "pulling off" such large verdicts. Of course, I knew of the nefarious activities of Henk, of Vlasek, of Tony, and of a number of other "runners" for Mark in getting clients to "sign up," but that Leffingwell's agents (since the war with Germany we have learned that agency has also a subtle significance) were at work even within the sacred precincts of the very court room had never dawned upon me until the Nikopopulos case was reached for trial. It seemed destined that that simple minded Greek, my very first client, should be the source of many revelations to me.

## XVII

NIKOPOPULOS' injuries were most serious, from which he had recovered only partially. One leg was now more than an inch shorter than the other; a three-inch dent disfigured his forehead; his broken right arm remained crooked; and he still suffered spinal pains.

Leffingwell looked forward to the trial of the case with the anticipation, I imagine, of a confident jockey who is given the privilege of riding a "sure winner." The pathetic looking figure of the shrunken Greek; the five small children, the eldest eleven and the youngest in his mother's arms; the tear stained face of the poor wife with that foreign shawl over her head, and two small children clinging to her skirt — all these were patches of color that delighted the master painter. As the day of trial was drawing near Leffingwell spoke of these "fine points" with fiendish glee. Then began the drilling of witnesses (from one eye-witness the number had grown to nine), the examination, cross-examination (with traps and pitfalls laid to see how well the witnesses would stand up on the witness stand), suggestions, and corrections, with all the painstaking of a Belasco in staging a new play. My bewilderment during these rehearsals was so great that the iniquity of the whole business did not strike me quite forcibly until the day's work was over, when I returned to my lonely room and lost myself in my passionate pursuit of literature.

The person without an absorbing hobby can, perhaps, scarcely realize how completely my evenings were divorced from my days. The moment I left Leffingwell's I ceased to be a lawyer. I would become a dreamy,

bookish student, with no other desires than the fulfilment of my literary dreams. Yes, I was a Dr. Jekyll and Mr. Hyde during that period. By day a cog in an infernal machine, in the evening a pure soul soaring to ethereal heights.

The evening before the trial I was told to remain in the office for a couple of hours. Leffingwell wanted me to look up some "authorities." His library was connected with his private office, and while I was poring over the "authorities" I overheard the "coaching" of the witnesses in the adjoining room. Should I attempt to give the proceedings minutely the reader might accuse me of plagiarizing pages from "Oliver Twist" where Fagin gives his disciples instruction in the craft of pocket-picking. The hints, the comments, the praise, the objections thrown out by Leffingwell's assistants while Nikopopulos, his wife and the other witnesses were being coached were so Fagin-like that now, so many years after, I am struck with the realistic accuracy of Dickens. And there were three interpreters — one Greek, one Slovak, one Croatian — to make the Master's meaning clear.

"That's right, cry," I overheard Henk say to Mrs. Nikopopulos; "the more you cry on the witness stand the more money you get — you see?"

When the witnesses left, Leffingwell remained alone with Henk. The door between his private office and the library was only slightly open, but owing to the stillness of the night every word reached my ears in spite of their lowered voices.

"It's fixed. Tim (he was the Jury Commissioner who assigned jurors to the different court rooms) handed me this list. The case will go either to Judge Snellenbogen's room or to Cahill's —"

"I don't want Cahill for this case," Leffingwell's voice

sounded contemplative. "That Irishman will joke too much about Kolokolchick and Mrs. Nikopopulos and take away all the pathos of the case. Besides, I don't believe he likes me. The other day he nearly killed the Vraczek case by making a facetious remark just as I was in the midst of picturing the scene of desolation when his family was notified of the accident."

"I'll see Tim then before court opens," replied Henk, "and he'll steer the case into Snellenbogen's —"

Their plans, however, evidently miscarried. The Nikopopulos case was sent to the room of a "dangerous Judge" (a dangerous Judge was one who did not yield to "influence"), and as a result several jurors of uncertain learning had slipped in. Consternation struck Leffingwell's camp. Mark summoned his aids to his private office after the first day's court session. Mark was not blaming Henk for the slip — the suave, smiling Leffingwell never blamed any one — but he urged him to "get busy."

"I am not asleep, Mark (everybody addressed Leffingwell by his first name)", replied the resourceful Henk. "No. 2 lives on Holygrail Avenue, and I have arranged with Dan Taggart to pay him a visit this evening — and trust Dan for getting results."

"How about No. 7 (referring to another doubtful juror)?"

"He hangs out at Weinkeller's. Weinkeller will take care of him. You can always count on Bob to deliver the goods."

"No. 8 is safe, so is 9 and 10 and 4 and 3," Leffingwell was evidently scanning a list in his hand, "but I am not so sure about 11."

"He is all right — a *landsmann* of Tony's — Tony met him as he left the court room."

I am inclined to believe that it was at a hint from Lef-fingwell himself that I was excluded from the session that took place in Mark's private room after court hours. However, I was late in the office and instead of going to my boarding house I dropped in at Schmiermund's. I had settled in a sequestered corner (Schmiermund's had many sequestered corners) and after my meal was drawing at a cigar — pipes were forbidden at Schmiermund's, — lost in a depressing reverie. (Schmiermund's was the place where politicians, lawyers, and newspaper men scenting information gathered at all hours of the day and evening.)

"Hello, Guy! All by your lonesomeness? Shake hands with Frank Talcott."

It was Henk who approached my table. Alongside of him stood a lithe, well dressed, debonair man of about forty-five, with an indefinable expression of youth about his face. Perhaps it was the smooth shaven face of his, the skin of which seemed tightly drawn over the tissues, and his pleasant-looking brown eyes that gave him the appearance of a young man of thirty. I had heard of Frank Talcott. People speculated as to the source of his income. For while he was a lawyer with a well-equipped office, sumptuously furnished, and spent money liberally, scarcely any clients ever intruded upon his privacy at his office, nor did he ever appear in court. He had been in politics a decade before, and had held office, but at present he did not seem active in that field either. He was seen at Schmiermund's daily, with one foot on the foot-rest, leaning against the brass railing of the bar, with a whiskey or cocktail before him, chatting with some one. Judging by appearances he was always drinking.

I shook hands with Talcott, who made a few desultory remarks and passed on. "So long," he said, as he turned



away while Henk edged in between the tables and the wall-seat and joined me.

At a beckon from Henk a waiter halted before our table.

"What's yours?" queried Henk, turning to me.

I declined.

"Don't be a mollycoddle," he urged. And without waiting for my rejoinder he dismissed the waiter with "two beers."

Henk lit a cigarette and began to talk. Although he could stand a good deal of drink he seemed to have outdone himself that evening. His hair was damp and seemed plastered to his skull and his peeping little blue eyes appeared set deeper than usual. He was overflowing with loquaciousness.

"We've certainly had a narrow escape today," he blabbed on, with a toss of his head, and his upper lip curled back to emit a streak of smoke. "Tim double-crossed us. I think the Nixon bunch must have slipped him something (the "Nixon bunch" was the legal firm of Nixon, Wright, Croak & Powers, counsel for the defendant company in the Nikopopulos' case). But believe me Talcott will take care of the boys."

"What has Talcott to do with this?" I asked.

"Talcott is the best fixer in town —"

My look at Henk must have told him that his reference was lost on me.

"If you expect to ride easily you must grease the axles — you unde'stand?" he resumed and suddenly checked himself (the waiter set down two *seidels* of beer before us).

"Talcott has some machine! His lieutenants operate in every ward and precinct, the same as when he used to be in politics —"

"You don't mean he bribes —"

Henk swallowed a mouthful of beer, threw his head back and laughed. "You should have been a preacher. You ain't cut out for a lawyer."

"You don't mean —"

"Say, you are guying me," Henk interrupted me again. "You ain't blind after hangin' around Mark nearly a year. Them corporation lawyers had their way long enough — it's our turn now. Say, Guy, you had better get yourself a pair of good glasses —"

At this point Frank Talcott came up to our table again.

"T's al'right," he said to Henk laconically, with a jolly wave of his hand, and turned to leave.

"Wait a moment," Henk stopped him, rising from his seat. "So long, Guy."

## XVIII

AFTER a sleepless night I reached a decision, the only decision possible for a youth with a troublesome conscience. I decided to quit Leffingwell's office at once.

With this thought in my mind I left my room in the morning quite refreshed despite the wakeful hours. I felt cleansed. My resolution had cleansed me.

Leaving my boarding house I met Virgil Tinker at the door. He, too, was on his way to his office.

"Going to court this morning?" he asked in his jovial tone, offering me a cigarette.

"I — I don't know," I faltered.

Tinker, associated with Nixon, Wright, Croak & Powers, was assisting in the trial. Since I had joined

Leffingwell, Tinker treated me with marked condescension.

"I thought you were with Mark in the Nikopopulos case," he said in a tone of great surprise.

"I was yesterday —"

"And will slip out today? I see your game," and he laughed. "You don't like to be on the losing side."

"It's the winning side all right enough," I said rather absently, "but I am going to quit Leffingwell."

"Going to quit!" There was something in his genial face that imparted to me that I had suddenly been restored to the esteem he entertained for me on our first acquaintance. "I congratulate you. You don't belong there."

I walked alongside of him in silence.

"The very case he is trying this morning," Tinker burst out in a voice that rang true, "is a monstrous fraud. All the evidence is fabricated. We have absolute proof that this man Nikopopulos had a fight with a man by the name of Kolokolchick, who pushed the Greek against a machine in operation and caused the injury."

I still maintained my silence while Tinker in his boyish, exuberant voice, proceeded to hold forth on the iniquities of the "ambulance chasers."

As our offices were in the same building we parted in the elevator that carried us to our respective floors, his "good luck, old man," following me.

When I came to the office I was told to go to court, as Leffingwell had called up saying he would go direct from his home to the court house.

On my arrival in the court room I found Leffingwell and Henk seated in a corner, with Nikopopulos and his wife and the Greek interpreter between them. Nikopopulos seemed dissatisfied and was shaking his head

negatively. Henk, with the aid of the interpreter, was making vain efforts to appease him. When they saw me come in their faces seemed to brighten. Henk rushed up to me and said, "Guy, you are the only one to handle Nick. He insists upon ruining his case."

I made no reply to him. Instead I walked up to Leffingwell and asked him to step aside as I wished to speak to him alone. And without any preamble I informed him of my resolution.

With a blanched face he remained standing and looking fixedly at me without uttering a syllable. His perpetual smile vanished. A moment later he said, "We'll discuss this matter after the case is finished."

"No, I am sorry, but I have decided to step out this morning."

"Just a moment —" and he stepped aside and talked to Henk in a lowered tone.

Henk rushed up to me and said, "Guy, you are crazy. You are losing the chance of your life."

I told him I did not care to discuss the matter.

Just then Tinker and his two associates filed into the court room. Tinker greeted me most cordially and I could see from the faces of his associates that he had told them of my *reformation*.

Leffingwell walked up to the Judge, who had just mounted the Bench, and asked for a few minutes indulgence because of the tardy arrival of a witness.

After considerable excitement on the part of Henk, who was shooting poisonous glances at me, the Greek and his wife and the interpreter (Leffingwell, having regained his composure, now assumed an attitude of indifference), Henk came up to me and said Nikopopoulos wanted to talk to me.

"You my lawyer — he no my lawyer," he addressed me

pathetically and waved a dismissal in the direction of Henk and Leffingwell. "Tell Company's lawyer me want settlement — me no fight —"

Leffingwell stood in front of Nikopopulos and me, with his back to the counsel for the defendant, Henk close to him, evidently to hide from them the friction between us.

After a space Leffingwell, his eyes fixed upon me suspiciously yet in perfect control of his temper, said, "Ask them (indicating the lawyers on the other side) what they'll pay me to settle the case."

I consented to act as intermediary and the case was settled in court.

Half an hour later, while I was gathering my few belongings in the office and clearing my desk, I was asked to step into Leffingwell's private room.

I found him seated at his desk, on his face an expression of anger I had never seen before. I remained standing before him mutely.

"You can't fool me, Stillwell, with that holier-than-thou face of yours," he said in a deliberate declamatory tone. "You have double-crossed me and made a deal with Virgil this morning. We know all about it. But let me tell you, you'll pay for your treachery."

## XIX

My next step tempts me again to moralise on the unreliability of circumstantial evidence, no matter how conclusive the circumstances seem to be.

Leffingwell's suspicions having been aroused, what clearer proof of my perfidy was needed than my quitting him and going to Nixon, Wright, Croak & Powers? Had

I even taken the trouble of telling him that when I quitted him I had no notion of my next move and that it was Virgil Tinker who procured the position for me with his associates — I say, had I even furnished the most convincing evidence Mark Leffingwell would have treated it as a mere alibi.

Indeed, to all appearances fortune suddenly smiled upon me. It was quite a distinction for a young man without "influential connections," without an "uncle in the Senate," and with no prospect of bringing in business of any sort, to be taken into the offices of Nixon, Wright, Croak & Powers.

That evening I again had a taste of fame — the fame of Schultze's. "I'll bet you'll land where Shutliff landed," prophesied the mistress of the house. "The first time I laid my eyes on you I knew you was a comer." "Say, you are moving along rapidly," commented Toner, coming into my room after supper and helping himself to the only cigar on my table. "But, as my German wife says, '*Es ist noch nicht Nacht*'" (that was before the War when people quoted German with an air of superiority), which in our vernacular means there is many a slip between the cup and the lip.

Nixon, Wright, Croak & Powers were not a legal firm but an institution. Unlike most legal concerns it was now in its second generation. Nixon, a renowned lawyer of the old school, had died many years ago; Wright was still alive but was old and wealthy and was a sort of *emeritus*, spending his winters in Florida, sometimes in Egypt, and his summers in Maine, and showed himself at his office at rare intervals. Jimmie Croak was the son of Alonzo Croak, who had laid the foundation of the firm with Rowland Nixon in 1869, and was the link between the concern and "big business." He rarely, if ever, en-

tered the sacred precincts of a court room, although he was a reputable after-dinner speaker and would, had he chosen, have been quite a power at the trial table. He had what the laymen would call the innate gift of a "pleader." No one could tell a story better than Jimmie, no one was more suave, more polished. Also his appearance would have been an asset with juries. He had a genial countenance, with fine wrinkles around his eyes that bespoke a perpetual smile. He had chosen the business end of the profession because it paid best. He well knew that he could hire a skillful "trial" lawyer and pay him for five years the price of a "merger" or a new organization which would only take part of his time of two months. People spoke of him as a slick lawyer. The profession looked at him askance. And yet the year I came to this office Jimmie Croak was president of the Bar Association. When Jimmie wanted a thing bad enough he usually got it. Besides, what member of the Association would dare oppose him?

The Jupiter of this solar system, however, was John Powers. All the other satellites reflected his radiance. Though eccentric about his Homer collection and his etchings, his legal erudition was prodigious. He was awe inspiring. It was said of him that he had never lost a case because he would not accept one unless justice was on his side. He was special counsel for several railroads and adviser of the largest banking institution in the city. He appeared in the State supreme court a few times a year and perhaps that often in the Federal supreme court. Earlier in his career he had waged many a legal battle in all courts — stories of his ingenious cross-examination are still current among the local members of the bar — but in recent years he, too, had been forced away from the trial table by more lucrative and more congenial work.

Nixon, Wright, Croak & Powers, like a modern department store, handled all kinds of business, every branch entrusted to a "specialist." No business was too big for them, none too small. They floated "issues" and collected grocers' bills. They stood for influence.

Had I penned these memoirs before the War I could hardly have been able to give an adequate description of the maze of offices that housed these lawyers without an architect's blue-print. But, now, the formation of trenches and dugouts having become so familiar, the reader can easily visualize it by calling to mind a long trench running about one hundred feet, with little dugouts branching off the main trench every ten feet, then turning sharply to the left, with more dugouts on either side, ending in a mysterious cave, where the commander, Jimmie Croak, well sheltered from air raids, had his headquarters. Dispatchers and messengers were ever going up and down, from dugout to dugout, carrying orders, giving signals, demanding pass-words. As you entered the main trench an orderly (sometimes dozing but more often alert on the job) rose from his seat and demanded your name, which he put down on a slip of paper and with that in hand disappeared and soon emerged to tell you to follow him. For this was no lawyer's office with clients in a waiting-room. You came by appointment, and the appointments were punctually kept.

The following morning I followed Tinker to Mr. Powers' room, for I was assigned to do "briefing" for him. His private office was nearest the entrance of the long passage way. It was spacious and, unlike some of the other offices (which were ornate), artistic in its simplicity. An old walnut desk and a few rare etchings were the only things that struck a stranger at first. It was after a moment's stay that one perceived the wonderful



faded looking Chinese rug on the floor and the small ivory Buddha of exquisite workmanship on a little pedestal in a corner.

We found Mr. Powers seated at his desk, his shoulders stooped, and a trifle round, writing, evidently unaware of our presences. Sitting he looked tall. Tinker stood motionless and waited. I, a bit nervous, gazed at the massive head bent over the desk. From a distance the head gave one the impression of a bronze statue. The oblong face, the large tightly closed mouth and deep corners at the ends, the bushy brows, the prominent nose, the short chin — all these features were noticed at a glance.

He soon raised his eyes and glanced up at us mutely, the pen still in his hand as if ready to continue writing. For a bare second he looked hard; his face seemed to have the hardness, the relentless hardness, of one of the ancient Assyrian kings, minus a beard. Suddenly his mouth opened, closed, and a strange light shone in his deeply-set brown eyes as he said "Well?"

"This is the young man I spoke to you about the other day." Tinker introduced me, and settled on the arm of a chair close to Mr. Powers' desk.

Mr. Powers extended his hand to me without a word but with something that sounded like a grunt.

When Tinker left I was speechlessly embarrassed. There was something in the face of the man before me that forbade any attempt at clever talk.

"Sit down," he presently said in a tone of command. "I'll be through with my work in a jiffy (he was talking to me and writing at the same time). I am writing a will for a lady who has more money than brains and wants me to supply the brains — What college did you go to?"

I told him.

"You had good training then," he resumed, without stopping his pen. "Something I missed. I should have gone to college. But you can't do it so easily when you have a widowed mother, a younger brother, and three sisters depending upon you for support —"

The last he said in an almost plaintive tone.

"I don't think you missed much by not going to college," I made bold to remark, adding something about the LL. D. degree my college had conferred upon him (of which fact I had been told the day before).

"An honorary degree at my age is only a funeral eulogy"; and for the first time I heard him laugh heartily. It was a boyish, almost childish, laugh. Then he added, "Some of the young men don't seem to realize the advantage they have gained over us old fellows —"

He continued writing in silence for several minutes as if oblivious of my presence. Suddenly he paused, looked over his desk searchingly, and finally, picking up a sheet of paper, said abruptly, "This is my proposition — see if you can't find some authorities to support me"; and turned sharply aside as if to indicate he wanted no further intrusion.

Mr. Powers must have found my work satisfactory for he retained me in his department. The departments at Nixon, Wright, Croak & Powers were so distinct and apart from each other that those engaged in one knew literally nothing of the business of any other. As for Mr. Powers himself, he was almost a stranger to the other members of the firm. He seemed more at home with the younger men. And while the outside world considered Mr. Powers austere, almost irreproachable, he was the kindest, the most affable man I ever met. To people beneath him in station, and to those who worked for him, he evinced an affability amounting to camaraderie. Of

course, like most big men, he had his weaknesses. He was peculiarly susceptible to flattery; but flattery in his case did not mean praise of his person but admiration for his collection of Homers and etchings. No business was important enough to interfere with a discussion of his "collections," and the more one praised them the higher he seemed to rise in Mr. Powers' estimation.

## XX

HAPPY months followed. My association with Mr. Powers rekindled my enthusiasm for the law. For there was nothing sordid about the matters he handled. No petty courts, no partisan judges, no bribed jurors, but principles of law and equity urged along lines as fundamental as the ten commandments. And the people I was coming in contact with (in contrast to Henk and his ilk) were clean, wholesome, congenial. Like happiness, honesty is uneventful. Nothing seemed to happen in those days; nothing except the genial and inspiring personality of Mr. Powers, whose presence made me feel as an idol worshipper must feel in the presence of his sacred shrine. I was conscious of romanticism in the very atmosphere around him. His little idiosyncrasies, his hobbies, his peculiar acts of kindness, the rumors about an unrequited love affair of his which had driven him to celibacy, all these were threads of a beautiful romance for me. In fact, for a time I was his Boswell. I made mental notes of every act of his, of every expression, every casual remark.

Mr. Powers' esteem for me increased when he had learned that I played chess. I had now become one of his favorite young men. For Powers was the patron saint

of many a struggling young man in various walks of life. If a poor ambitious youngster manifested any talent for painting, sculpture, music, or literature he was sure to be directed to John Powers, who would immediately scent the advent of a newly rising American genius and would dispatch him to New York or Europe for further development. To be sure, he was imposed upon by all sorts of dilettantes as he was cheated by many fake collectors, but that never cooled his ardor for the discovery of new talent.

When he learned of my accomplishment at chess he summoned me to his room, in a manner as if he would order me to furnish him a brief and said, "So you play chess. Well, come over to my house this evening and I'll give you a chance to beat me."

Mr. Powers lived on a street which was once the most fashionable in the city and had of late been undergoing the transitional state common to neighborhoods where business touches elbows with domesticity. Everything about the house looked ancient. The finely wrought iron railing, the rusty gate, the massive stone banisters of the porch, the iron lattice of the upper panels of the front doors — everything about that old stone house recalled evanescent youth and beauty.

A negro servant, bowing and courtesying with Southern servility and gentility, opened the door and ushered me into an extremely large, square high ceilinged room, described in English novels as a drawing room. Here, too, the atmosphere was ancient. The chairs, the rugs, the many-branched chandelier suspended from the center of the ceiling, the heavy bronze lamp on a tall marble pedestal, the high arched doorway leading to the next room suggested the East or South rather than the Middle West.

I waited quite a while when I heard footsteps coming

toward me from the adjoining room. Presently I saw a young woman approaching me and as she came close to me she paused, as if from sudden fright. I rose and — gaped.

"Miss Halsted!" I uttered as if talking to myself, scarcely believing my eyes.

"Mr. Stillwell," she said, controlling her embarrassment more successfully than I could hide mine, "I didn't know it was you — I didn't know you were in this city — Uncle John told me to ask the young man to wait a while. He has a caller in the library and will be free in a few minutes."

In my momentary confusion I did not fail to note, however, that she showed no inclination to shake hands with me — after a lapse of so many years! And her evident indifference did not help to make me more at ease. I remained standing quite speechless, looking at her as if an apparition had presented itself before me.

"How long have you been in this city?" she asked tactfully when we were seated, making an obvious effort to make me feel at home.

When I had told her briefly all about myself she seemed genuinely surprised.

"So you are a lawyer." There was incredibility in her voice.

"Why, I thought you knew I was studying law when I first met you," I blurted out, candidly hurt that she had not taken enough interest in me to have learned this.

"No, I didn't," she replied, her old-time vivaciousness returning, with the ring in her voice that had so fascinated me in my college days. "You a lawyer!" There was something like a chuckle in her voice.

"Why not?" I scented offense in her exclamation.

"Why —" She faltered, "Why, I thought you were

going to be a tea — a professor, or a — or something in that line."

Without stopping to analyze my feelings I sensed slight. For although I had often said to myself that there was something about me distinctly bookish and pedantic and pedagogical yet this impression voiced by Mary Halsted wounded my pride.

"I see, you didn't think me alive enough for any vocation other than teaching," I said, with the manifest peevishness of an angered child.

Mary blushed scarlet.

"Now, you know, Mr. Stillwell, that wasn't in my mind — " She was trying to make amends, but at this point the heavy familiar footsteps of Mr. Powers were nearing us.

Mary rose quickly and coming toward Mr. Powers said in a voice of unconcealed embarrassment, "I met Mr. Stillwell years and years ago — I did not know he was at your office."

Mr. Powers grunted. He seemed absent minded, his bushy brows drooping over his eyelids with a stern effect.

"O, Uncle John, your tie has again taken a backward slide. Now stand still for a moment and let me fix it."

And while he was making protesting movements she untied his black string tie and repeating, "Stand still for a moment," finally succeeded in adjusting his cravat to her entire satisfaction. "Now, you look presentable," she said and kissed him on the cheek, as if he were a mere child sent off to school.

I dislike to record commonplaces, since there has really been nothing new in the affairs of the heart since the days of Pyramis and Thisbe, but the liberties Mary was taking with her elderly eccentric uncle filled me with strange emotions. I have known of lovers experiencing

similar sensations when their beloved ones fondled a poodle dog or even thumbed the leaves of a book.

"Have you ever studied Greek?" Mr. Powers asked me abruptly, as he was presently leading the way to the library.

I acknowledged a persistent effort at this useless task for several years.

"Then come and I'll show you the finest collection of Greek literature."

His voice now sounded boyish and there appeared a spreading joyousness on his face. I also noticed a mischievous twinkle in Mary's eyes, as if to say, "Go along and look at his toys."

I followed him through several rooms, the walls of which were covered with rare etchings, and finally entered the library. I had never seen a private collection of this size before. The tiers and sections had the appearance of a public institution.

He paused before a glass case that reached the high ceiling and, producing a key from his pocket, unlocked it and swung the doors back with a pride and boastfulness that was naïve.

"You are beholding the finest Homer collection in the world!" he spoke gravely, almost solemnly, his eyes skipping with nervous joy from my face to the books and then back again. And removing a large scroll of parchment, yellow and stained with age, and, holding it with the tenderness of a young mother displaying her first-born, said, "This is the oldest copy of Homer in existence and it is preserved in its original form."

I made an attempt at facetiousness and said that when I read Homer — seventy-five lines a day — I was sorry it had been preserved in any form.

I immediately realized that I had displeased him. A.

scowl appeared on his countenance and he soon closed the doors with that forbidding harshness that the angels must have manifested when they barred the gates of Eden against the re-entrance of the banished Adam and Eve.

Mary made some gesture but its meaning was lost on me. She then rushed up to Mr. Powers and, flinging her arms around him, said petulantly, with that charming laugh of hers, "Never again will we show our precious books to scoffers — will we, Uncle John?"

It seemed Mary could do anything with her Uncle John. She teased him and scolded him and he took it all good naturedly.

And in spite of my confusion at the unexpected meeting of Mary — the girl I had tried hard to forget — I beat Mr. Powers in the first game, and beat him badly. He had lost his queen early in the game and when I snatched one of his rooks a little later he got so rattled and made so many blunders that defeat was inevitable. When the last move was made he remained seated at the chess board pale, exhausted, almost haggard looking. The expression on his face was that of a man who had undergone a physical struggle. He sat and stared at the chess-board, his king captive whichever way he might turn — the checkmate having been accomplished by the position of both of my knights — and sighed from time to time, shaking his head forlornly and talking to himself: "No, I can't go there — nor here — nor there — Yes (with a deep sigh), that's the end — Just a moment (as I was about to set up the chess men for another game) — No, there is no escape. It's checkmate all right. Let's play another." He suddenly raised his head with regained courage and smiled broadly upon me.



## XXI

WHEN we come upon strange coincidences in novels we wave them aside as unconvincing, forgetting that in real life we meet with coincidences even more striking.

In my case the meeting with Mary, after a hopeless and almost abandoned pursuit of several years, was not wholly chance. For since this is the veracious chronicle of an ambitious youth obsessed with idealism (this phrase is Mary's not mine) I might confess that had I probed the depths of my heart I would have discovered that it was not the thrift of this mid-western city, nor the enticing personality of my father's boyhood friend, Toner, that had lured me here. And while it is true that the memory of Mary's native place had aroused in me a sense of disappointment, it was dear to me nevertheless. Strange as it may seem, the rejected lover often becomes the life-long friend of him whom she has preferred for her affections.

I had met Mary Halsted by chance several years before at New Haven. I had met her in a most casual way, without any premonition of serious consequence. There is even a likelihood (though Mary disputes it) that no serious consequences would have followed had she not singled me out for special aversion at our first meeting. She made me feel her aversion. At least, I was conscious of it.

How vividly that first meeting has ever been in my mind! I can see the color of her tailored suit, that fur around her neck, the little sealskin hat she wore — yes, even the shade of her gloves and the small chrysanthemum and bit of blue ribbon run through two buttonholes

of her coat. It was on a Friday afternoon, the day preceding the Harvard-Yale football game. I was in the company of two classmates and we had just turned the corner diagonally across Osborn Hall, where the old New Haven House stood, since replaced by a more pretentious hostelry. Mary, who was accompanied by a cousin of hers, a sophomore at Yale, was about to enter the hotel when my classmates hailed them. I was incidentally introduced to Mary and her cousin.

I was ill at ease, as I always was when meeting strangers. For while I was never a "grind" I was extremely bookish and possessed all the prerequisites of a bookworm. I was shy, sensitive — morbidly sensitive — overburdened with a sense of responsibility. To all appearances I belonged to the class of young men who solve all the vexing problems of humanity before they are twenty-one and are spoken of as prigs. You see, I was given to introspection and saw myself from three distinct angles: as others saw me; as others thought I saw myself; as I really was.

They all stood talking together in that frothy, show-off vein characteristic of undergraduates when in the company of an attractive girl, while I stood back half a step, a silent bystander. In the first place, the topic of conversation was the game, which to me, like to most bookish fellows, is never more than part of the circus side of life, and, secondly, Mary's exuberance and seeming frivolity made me more serious. She made me feel her aloofness. But the more conscious I was becoming of this fact the more persistently I stared at her in a manner that must have impressed her as rude (though this, too, she denies). Her manifest repugnance for me piqued me particularly as she left us. For while she smiled cheerfully at my friends, and said something

about seeing them again, she scarcely more than gave me a grazing glance.

"Isn't she wonderful?" one of my classmates, Buskirk by name, commented as we proceeded on our way across The Green.

Something within me checked me from making any reply. It was not artfulness but a strange sense of delicacy that forbade me to discuss her, though I had often discussed other girls with him without restraint. Later, however, with an undue show of indifference, I made inquiries about her whereabouts and learned that she was attending Wellesley and had just come over for the game on the invitation of her cousin.

I met her again after the game. Yale had won that year, after two successive defeats, and there was great rejoicing among the boys. I made a special effort to act naturally in her presence and endeavored to talk in the easy-going manner of the rest of the young folk around me, but I knew my remarks sounded stilted and forced, and I soon lapsed into the attitude of a bore.

It is comparatively easy to tell of the love affairs of other people but when it comes to touching one's own romance the task is not so wieldy. One feels the subconscious constraint of — of kissing one's beloved in public.

I can hardly describe my state of mind during the period following Mary's departure. Her appearance, and quick disappearance, reminded me of a falling meteor I had once seen in the Berkshires. It was just a moment of ecstasy followed by a sense of wonderment. The short Thanksgiving Day vacation afforded me more time for brooding. And the absurd plots I hatched and the ludicrous plans I laid and the preposterous schemes I formed as a means of meeting her again.

What made me particularly morbid was my keen sensitiveness about my appearance. I was self-conscious of my unattractiveness. Unlike other homely men (and I have known men whose faces proved Darwin's theory conclusively and yet boasted of irresistibility to the opposite sex) I never overestimated my physical beauty. I shunned my mirror.

But idiots and lovers once seized with an idea never let go until it is carried into effect. Obstacles do not count, barriers are of no avail. On my return from my Christmas vacation I dispatched a letter to Miss Mary Halsted, in care of Wellesley College. Indeed, only an idiot or a lover could have reached such a conclusion (though Mary insists to this day that the letter was a literary gem). What excuse did I have for writing to her?

Then I waited for an answer. I allowed a day for the letter to reach her, a day for a reply to travel back, and on the third day I missed my first lecture awaiting the postman. A week later I began to detest the postman. As soon as he would catch my eye (or mine his) he would shake his head negatively and smile. Yes, I despised him. I thought he divined my secret and was mocking me. "That fossil," I fumed inwardly, "wasn't he ever young!"

Finally I had given up all hope, without, however, entertaining a doubt as to whether or not my letter had reached her. Letters addressed in care of colleges so often miscarry, I consoled myself. I decided to make another attempt, and did it most hastily one morning, beginning to count the days again, when I received an answer to my first letter.

(How fate plays pranks upon lovers! That day I left my room in the morning and did not return until mid-

night, Mary's letter lying on the little marble-topped table in the hall of my lodging-house all afternoon and evening, and very likely picked up and dropped by other students, as careless fellows often do in looking for their own mail.)

It was a very kind, courteous note but it did not satisfy me. It sounded cold, distant. No, indeed, it did not contain the least encouragement for further correspondence. However, I spent precious hours (which, judged by the results of that mid-year examination, should have been spent on my studies) on her hand writing, on the curves of her M's, on the slopes of her H's, the firmness of her I's — well, it was all so full of meaning!

I will not tell of all the absurd, futile things I did in order to arouse her interest in me. God help the beloved of a man with a literary turn of mind! (Mary thinks that my letters addressed to her at that period under the title of "The Story of a Much-told Love" would create a sensation.) I had even mustered up courage and called on her at Wellesley. But I finally surrendered. That is, I had temporarily suspended operations. I had never intended giving up my pursuit of her. When I had finished my studies I immediately thought of Mary's home city.

## XXII

ALTHOUGH I had made a resolution to abstain from chess, because if I played it in the evening it kept me awake at night, I now welcomed this diversion. Modesty does not forbid me to say that Mr. Powers had found in me a strong opponent, and before long I had become a

frequent visitor at his house. Not infrequently I was in Mr. Powers' library evening after evening, the broad shadow of the host's head and shoulders swaying against the expanse of book-shelves back of him, the meditative silence of the game around us. And while I needed all my faculties for the combat I recklessly allowed my mind, and eye, to rove at large.

These diverting glances cost me many a game, to the great joy of my antagonist, who attributed my defeats to his superior skill. When I came early — and at his invitation I frequently presented myself at his library immediately after dinner — I often caught sight of Mary, accompanied by one of her gallant young "society" friends, leaving for a dinner party or the theater. And the envious hours I spent and the tortures I endured and the heart burnings I suffered! But even these moments of pain were not without corresponding bliss. Now and then Mary would trip into the library to bid her uncle good-by. Sometimes she would tarry a moment, eliciting Mr. Powers' opinion of a new dress.

"Isn't it pretty, Uncle John?" she would ask smilingly, barely glancing at me.

At first Uncle John would not hear her, preoccupied with the next "move."

"Don't you like my dress, Uncle John?" she would repeat, now bestowing upon me a bit of her sweet smile.

"Charming, my little Mary, charming" — this from Uncle John, his eyes immediately returning to the chess-board.

"O, you haven't looked at my dress at all," she would insist; and taking hold of his head would turn it away from the game and make him look at her attire with more scrutiny.

She was always Little Mary to Mr. Powers. After she

would leave him he would make some loving remark about his little Mary. "Isn't she just like a fairy? Her mother at Mary's age looked just as beautiful. You know, both her father and mother died in her infancy."

It never seemed to have occurred to him that I was young and might be in love with his niece. He always talked to me as if I were his age.

One day I felt very depressed because my manuscript had come back from the ninth publisher. Every time it came back I revised it, eliminating a chapter here, adding one there, polishing the beginning, modifying the title, with the hope of succeeding with the next publisher; and every time I would give a different address where the ill-fated packet might be returned. It had come back so often at Schultze's that I feared the keen eye of Mike Toner. I wished to avoid his probable taunts. This time it was delivered at my office, and leaving for home I carried it under my arm wrapped up in an innocent looking paper, as if it were stolen property that needed concealment.

"One of your effusions," said Mr. Powers, who, standing in the doorway of his private office, noticed me walking past him.

I blushed and owned my guilt.

He stepped back into his office with something on his face that meant an invitation. I followed him inside.

"Uphill work to have a first book published," he murmured sympathetically. "I found it so hard that it killed all my enthusiasm;" and he laughed blandly.

"Did you ever write a novel?" I asked eagerly.

"Who hasn't?" And he laughed his peculiar mirthful hoarse laugh.

I was about to ask him whether he would care to read my manuscript but he anticipated my wish.

"I'll be glad to read it — the opinion of a disinterested person is always valuable," he said.

The next several days I watched his face eagerly. I tried to read his opinion by the expression on his face. But he was non-committal until a week later when he called me in.

My first glance at him told me that his opinion was favorable.

"You have some good ideas," he mumbled without looking at me, "but you need maturing. You haven't seen enough of life — your knowledge of life has been gained from books rather than from life itself. Hearsay evidence is never reliable," he added in a serious tone.

(Of course, I did not agree with him. I considered my knowledge of life my main strength as a writer. Had I not already passed my twenty-sixth year!)

"I like your love story. That's well done," he added in a ruminating mood. Presently he said, "I could tell you a love story that would match yours."

He paused and turned his face toward the window, from which one could obtain a broad view of the lake. Our offices were on the fifteenth floor facing one of the Great Lakes.

"I once tried to write the romance myself but I haven't the story teller's gift," he continued after a space, half to himself. "You might fare better with it. Besides, this is the story of — (he paused and faltered) — of a very intimate friend of mine — I know it too well for treatment in fiction. I might produce a photograph but never a picture."

He stuck both his hands into his trousers' pockets, moved down in his seat, his short chin pressing against the stiffly starched bosom of his shirt, and looking wistfully through the window resumed, "This happened years



and years ago — long before you were born. My friend was a bright ambitious boy but very poor. He was obliged to quit school before he reached the High School and go to work. He lived in a small town where everybody knew everybody else, and it's worse to be poor in a small town than in a large place. In a small town you can't hide your humble position, which is a terrible handicap to a sensitive ambitious boy. Well, this boy went to work by day and spent his evenings over his books. When he was twenty-one he knew nobody — knew nothing but his work and his books — and he wasn't a good-looking boy either — a sort of bear of a boy, always by himself. One day on his way from work — he was working in a printing shop — it was at sunset of a beautiful summer day — the kind of sunsets poets and painters dream about — he noticed a young girl dropping a letter into a mail box. Nothing romantic about this"; and the narrator laughed. "However, the boy stopped and stared at the girl as if she had been a vision from heaven. He was even unconscious of his act and continued staring at her, as she presently walked past him. For she was ravishingly beautiful, and the boy — well, he had been so absorbed in his work and in his books that he had never wasted a thought on girls. Now the pent-up passion of his fermenting youth burst suddenly like roses after May showers. He was all afire. It was as if some one had touched a secret spring and suddenly awakened youth in him. He followed her like Hamlet his father's ghost. While he knew almost everybody in town he was not quite sure where this apparition belonged. The girl noticed him following her, turned her head bewitchingly and smiled. He learned that she was the daughter of the richest man in town, the scion of the best family. The boy returned home, his heart

pierced with the darts of love. He pined for his beloved like a love-sick girl. The thought that the object of his admiration was unattainable made his anguish even greater. Evening after evening he paced up and down in front of her home like a well disciplined sentinel, with the hope of catching a glimpse of this Venus. Sometimes he was rewarded by a peep through the interstices of the curtains overhanging the windows of her beautiful home, more often he paced up and down in vain, with a consuming passion in his heart. The boy's diligence at his work was gone, his zeal in his books cooled. All his thoughts were centered upon that girl.

"Then he began to write her love letters — anonymously — with quotations from Shelley and Byron and Moore, and asked for an answer to be addressed to a fictitious name care of General Delivery. Of course, no answer came. One day he wrote to her unless she met him that evening at seven o'clock by a certain elm tree he would take his life, but she never came near that elm tree and he never took his life. Instead he soon learned that she had gotten married and moved to the metropolis of the State. But even the inevitable did not assuage his love pain. He procured a picture of her through the local photographer and carried it in his breast pocket to the metropolis, where he settled and took up the study of law. He was now seized with the ambition to become a great lawyer. He wanted to gain fame and fortune in order to be able to meet her some day and show her the mistake she had made in spurning his love. There is no end of maniacal things love-sick boys will do.

"He finally realized his ambition — many years after — and gained fame and fortune but had never met the woman of his dreams, though he still carried her picture in his breast pocket and shunned all other women. It's

almost unbelievable but it is true. He could only visualise the image of one woman. Lovers, like the insane, ought to be locked up in cells for their own protection."

He leaned back and smiled with a strange twinkle in his eye, and removing a hand from his pocket mopped the corners of his mouth.

"One day," he soon continued — "my friend was then long past his youth — in fact he was nearing his fiftieth year — a handsomely dressed woman, deeply veiled, was ushered into his room. At this stage my friend's clientele included people in all walks of life and so many wanted his personal services that he was obliged to confine himself to one branch. When the woman had first sent in her card my friend referred her to one of his associates but she insisted on seeing him personally and finally gained admission. You can imagine his surprise when the woman raised her veil and disclosed the face that had haunted him for nearly thirty years! It was the same unforgettable face he had gazed upon a score and a half years before. While he had changed from a raw youth to a scholarly looking man of middle age she was the same. The same lithe figure, the same Madonna face, the same light blue eyes that beamed innocence and child-like charm for him. She was in mourning and the symbol of widowhood added a touch of enchantment to her faultless countenance. He could hardly credit his eyes."

Mr. Powers waved his hand as if to dismiss an intruding thought and paused a moment.

"I presume the inevitable happened," I struck in, anticipating a happy ending.

"That's how you might wind up your story," returned Mr. Powers, with a melancholy smile in the deep corners of his mouth, "but it did not so happen in real life.

He presently learned that the purpose of her visit was to retain him to collect a large legacy, left her by her husband. His relatives were contesting the will. For she had had quite a career with husbands. The first died in a mysterious manner while travelling abroad, the second was divorced, the third had died of apoplexy, and the present one, the fourth, had died after a prolonged illness which his physicians had failed to diagnose accurately.

"In short, the poor bachelor had soon learned that his white lily — well, she was a bit scarlet; that he had worshiped a false deity. But try as he might he could not banish her from his thoughts even now. For while he tore the picture he had carried in his breast pocket into a thousand fragments, and swore a bitter oath, he could not fill the void made vacant by his shattered idol. Hé was heartbroken. And in spite of his disillusionment he fought her legal battles, and won them, and was at her bedside when she died several years later of an illness similar to that of her husband. The poor fool bore his love for this woman to his grave. He had dissipated all the love in his heart on her."

Mr. Powers remained seated in his chair evidently unconscious that he had finished his story. With his chin pressed against his shirt front, his deeply set eyes were thoughtfully wandering over the heaving waters in the dim distance.

### XXIII

No man under forty can write objectively. Men of eternal youth, like Goethe or Leonardo da Vinci, never emerge from subjective expression. Youth, like an irrepressible forward boy, persists in projecting itself in all conversation. Those who succeed in objective

interpretation before they reach middle life have aged prematurely.

Mr. Powers' story, like all stories I read at that period, had a direct bearing upon my own life. I was the hero of every novel I read, of every story I penned. I saw myself in the person of Mr. Powers' friend (that his friend was a mere fiction did not occur to me until a much later date), doomed to celibacy and disappointment. Had not I also followed the image of a girl met by chance and was, like him, spurned? For I now felt that in spite of her kind hospitality of late she was not treating me as cordially as she did her other friends. Of course, the end of my romance could not turn out as bitterly as that of Mr. Powers' friend. For there was no question that Mary Halsted was a white lily.

Yet, I was not unhappy. Romance soothes even while it tortures. Even my daily work was stripped of all sordiness. Besides, how could I separate Mr. Powers from his niece?

Moreover, one evening when I called for a game of chess I found Mary in the library with her uncle. It was a cold winter night, and the warmth within and the tall tiers of books around us (the sight of book shelves always filled me with sensuous pleasure) and her presence were a combined welcome. I noticed at a glance that unlike on other occasions she intended to stay and watch the game. I was also conscious of something in her face that seemed more inviting. Perhaps her uncle had said something praiseworthy about my manuscript, a hopeful thought flitted across my brain. And when Mr. Powers suggested that if we gave him a rook and a knight he would play against Mary and myself my heart bounced with a joy scarcely earthly.

That was a blissful evening. I was seated close to

Mary opposite Mr. Powers, and while this denied me the pleasure of facing her I was compensated by an inadvertent touch of her sleeve and by a not infrequent stealthy glance at her profile. The feeling that I was treated *en famille* made me exultant. Indeed, I was so buoyant that I could have given Mr. Powers both rooks and both knights and beaten him single handed. I had never played the game so well.

Before I left I thanked Miss Halsted for her able assistance in the victory over her uncle. How can I convey the tone of her voice, the genial look in her eyes, the sweetness of her modesty as she disclaimed any share in the credit?

On my way home that night a thousand joyful thoughts crowded my brain. I recalled that of late I had not seen as many young men at her home and as often as before. A lover, like a misguided detective, sees unerring clews everywhere. To be sure, all clews led to the same point. I felt a surging heat pulsate through me. What if she had glanced through my manuscript while her uncle had it at his home? I wondered if she had recognized herself as the heroine. And how stupid of me to have made the heroine marry the shallow matinee idol while her devoted lover, having gained literary fame, ends his days in celibate solitude.

## XXIV

BUT when did life run smoothly for any one indefinitely? Before long I received a jolt. The personal injury department was short of help and, I presume, owing to my experience at Leffingwell's I was shifted into that branch of this legal institution.

At the head of this department was Luther Coit, a man with grizzly hair, with shrewd twinkling eyes despite his sixty years, with an insatiable appetite for court work, as distinguished from office work, in spite of his daily trials for more than thirty-five years. He tried cases with the vigor and fervor and stubbornness of a lawyer just admitted to practice. He manifested boyish elation when victorious in a lawsuit and the depression of sickening despair when defeated. He combined the glib gentility of the Southerner and the keenness and aggressiveness of the Jew.

"Mr. Stillwell," Coit said to me when I was assigned to his department, "Mr. Powers thinks very much of you, and I feel confident that you'll do well — Have one (he lighted a little cigar and offered me one)? Perhaps I ought to give you some advice (Confound it, I said to myself, will they ever stop giving me advice! — Mr. Powers was the only one who had not volunteered any counsel). You must learn to get friendly with jurors — I thought you were just a bit stiff in your attitude toward them while you were with Leffingwell. I watched you — I always watch young lawyers. Don't get dreamy and absent minded — it's all right under a shade tree on a fine summer day but you must be all eyes in a court room. This may sound cynical but you can't be too suspicious in court — of the jurors, of the judge, of anybody who happens to drop into the court room while you are trying a case. When you cite law to the judge, present it in a manner, and voice, as if the oracle speaks through you, and that the judge whose opinion you are reading to the court is the source of all wisdom, no matter what you in your mind think of the cuss that laid down the tom-foolery. Trying cases is a very shrewd game (my heart again skipped a beat

— is this great lawyer also calling the pursuit of justice a game?), you must watch your cues.” Then abruptly turning around in his swivel chair, as if struck by a sudden thought, he said, “Go to Nelson Brooks. He’ll give you some instructions for your immediate attention.”

Nelson Brooks was Coit’s right hand man. And while the actual trial of a “close case” was never left to any one but Luther Coit himself, all preliminary steps, such as looking after the evidence, keeping watch on the juries, and all minor matters were Brooks’ prerogative.

Nelson Brooks had come from the country as raw as an unbroken colt. Although graduated from some Mid-Western college (and, if I am not mistaken, with a *cum laude*), his ignorance of books and of the world at large was as refreshingly naïve as that of a Russian peasant. He had evidently followed the prescribed courses at college, passed his examinations, and taken his degree, but since he had become a lawyer there was really no use of reading books that had nothing to do with his profession. True, he had later developed into an habitué of symphony concerts and musicals, but being a dutiful husband he did it for the sake of his wife, who felt that it was the proper thing for an associate of Nixon, Wright, Croak & Powers to cultivate the fine arts. I might add that having seen (and heard) him sleep through an entire Beethoven and Wagner programme I have no little respect for his keen sense of duty. Nelson was rather big, with the clumsiness of a truck horse. Although I lay no claims to the novelist’s omniscience, I can safely assert that Brooks never in his life mused introspectively on any subject. He had learned the High School and College text-books in order that he might pass the examinations, and now, having passed them, he carried out Luther Coit’s “policies” because he was paid for doing



it and also because it was necessary for the fulfilment of his higher aims.

"All right, Guy," he said rather familiarly when I told him Mr. Coit had sent me to him, "we'll go into a case this afternoon. The clerk has just notified me that our case will go to Judge Screech's room. Now let me give you a few pointers (some more advice!). In court you'll sit back of me, and while I ask the names of the jurors, when empanelling, or if the other side asks it, look up in this little book (he handed me a small book alphabetically arranged). See whether — an 'F' or an 'H' or an 'N' precedes it — like this or that (he pointed out the prefixes in the little book).

"What do the letters signify?" I asked him.

"'F' stands for 'friendly,' 'H' for 'hostile,' and 'N' for 'new.' You see, we have the record of all jurors that have served in the past twenty years, and jurors in this county repeat themselves at least once in three years, unless they die. This book contains all the names that have been drawn for this term. We have a history of every prospective juror. Also for your own guidance let me tell you who of the Judges are friendly and who are hostile (and he named them). Now, Judge Screech is particularly friendly —"

"He sent me to jail for contempt before I had a chance to try my first case to him," I struck in.

"Well, you need not fear him since you are with us. He is under obligations to Mr. Croak, who procured him his first appointment — he filled the unexpired term of Judge Blakesly, who had resigned. Very frequently he fumes and rages at us, even at Mr. Coit, but that's only for appearances' sake."

Having preached his gospel Brooks proceeded to give me specific instructions in preparation for the case at hand.

## XXV

ONE morning, I raised my eyes from my work to respond to a "Hello, Guy, old boy" and beheld the grinning countenance of Henk. I shuddered involuntarily. He stood before me like a mocking Satan.

"It seems you and I are inseparable," he proceeded, his upper lip curving at the corner of his mouth and exposing the decayed gum of his missing tooth. "I am here, too."

"Yep!" he presently continued, "Mark has double-crossed me and I am quits with him. I am after the *dough* — no bull, no sentiment — and I can get more of it at this joint."

He shoved his sailor hat a trifle more over his left ear and winked an eye.

"I'll make it hot for Mark — take it from me," he added. "So long. I have an appointment with Brooks."

I remained at my desk dumfounded. While I had observed things in this department that irritated my puritanic conscience I had always found some justification for my employers. You see, one's conscience, like one's heart, gets a bit hardened under continuous pressure. But the employment of Henk — I jumped up from my seat as if suddenly bitten by an asp. And only the Saturday before I had listened to a most scathing and eloquent denunciation, delivered by Luther Coit at a meeting of the Bar Association on the unethical methods of certain mercenary lawyers. After a moment's reflection I came to the conclusion that none of our firm suspected the underhanded methods of Henk. So I felt it my duty to speak to Nelson Brooks about our new associate.

I approached the subject cautiously.

"Is Henk going to work here?" I asked Brooks later in the day.

"Yes," he replied rather enthusiastically. "Henk is worth the rest of Leffingwell's outfit put together. We have been trying to get him for a year or more but he couldn't be reached. But it seems he and Mark had a fall out and now he has come."

"But this fellow is crooked," I protested with unconcealed warmth. "He has been used by Leffingwell as the missing link whenever the necessary evidence was lacking."

"That's it"; and there appeared a glitter of joy in the muddy blue eyes of Nelson Brooks. "The fellow is worth his weight in gold. We need a fellow like that. In the first place his absence will cripple Leffingwell's machine, and, then, think of the service he'll render us in defending cases against Leffingwell!"

"But —" I could scarcely find speech.

"Well, we have got to fight fire with fire. Mark has practically monopolized the personal injury business in this part of the State — look at the court's calendar this term — we haven't won a case against him in two years! We practically pay him his price in cases where his clients haven't a shadow of a claim, because we are afraid of him — yes, just afraid of him and ashamed to admit it to our clients. We might as well close shop in this department. Something must be done."

A week later Nelson Brooks stopped at my desk with a face flushed with triumph. "Henk has delivered the goods," he whispered to me. "The jury has just reported in *O'Donell vs. The City Railway*, verdict for the defendant — the first clean-cut victory in two years! Leffingwell expected a fifty thousand verdict in this case!"

"What's the matter? You don't seem to like Henk," he said touching my shoulder and passed on.

I went home that evening crestfallen and chagrined. As many a sorrowful soul drowns his grief in drink I drowned mine in literary dissipation. After an arduous day in court or at the office I crawled into my den at Schultze's and became dead to all else save my books and my attempts at my literary craft. On the pretext of chess I could have gone to Mr. Powers, and perchance cheer my heart with the sight of Miss Halsted, but I was ashamed to look either of them in the face. How could I speak of my predicament to Mr. Powers?

Besides, I had been encouraged of late by a few publishers, who, instead of rejection slips, had written me long cheering letters; and while they declined my manuscripts they offered helpful suggestions and expressed a desire to hear from me again. I had also succeeded in placing an article with a magazine, whose editor was rather chary in remuneration but very profuse in his praise of my paper. So my literary hopes were rising.

## XXVI

INDEED, Henk "delivered the goods." Before long I noticed Frank Talcott hovering around our offices and holding conferences with Nelson Brooks, with Luther Coit, and even with Mr. Croak. He would call about once in two days, walk through the long corridors gingerly, almost mysteriously, like the "secret service man" in a play, following a trail or scenting a clue. He was always well dressed — esthetically well dressed — and his silk shirts, costly shoes, and suits came from the most expensive makers of these articles. Talcott did not like

me. There was something in his "How-do-ye," as he passed me, that told too plainly of his dislike for me. I also noticed before long that Henk mistrusted me.

Virgil Tinker, whose tact equalled his refinement and courtesy, hinted to me before long of this shortcoming of mine. I presume Nelson Brooks, who was rather blunt, had asked Virgil to curb my impulsiveness.

"If I were you," he said to me one day in that inimitable inoffensive way of his, "I'd antagonize people less. Of course, I appreciate that your manner is the result of sincerity and honesty but you'll fare better in the long run by not showing your likes and dislikes so much. After all, you are not your brother's keeper, and you can't go on reforming the world."

His remarks, in spite of his tact, were apropos of nothing, but they followed so closely my outburst to Nelson Brooks about Henk's dishonesty, that I felt they had been inspired by Brooks.

I did not argue with Virgil. One could hardly ever argue with him. In a heated argument one can not escape a touch of bitterness, and Tinker was never bitter in his utterances.

Late one afternoon, while we were in the midst of a trial, I noticed a juror enter Nelson Brooks' office. (I knew this juror well because I had noticed him in several of our cases that term of court.) To my amazement he remained closeted with Brooks for some time. In a moment I forgot all the advice given me about self-suppression. After the juror had left I entered Brooks' office. Without raising his head from the papers he was arranging on his desk he said, "Yes, Guy."

My rising anger subsided. I could never argue, or quarrel, with anybody unless I met my opponent's eye.

"I — I thought," I began to stammer, secretly hoping

Brooks would raise his head so that I could tell him more vehemently what was in my mind — "I thought that I saw Dugan (referring to the juror) leave your room a moment ago —"

Becoming self-conscious of the boldness of my accusation and of my cross-examining tone I stopped abruptly.

"What of it?" — without raising his head, but seemingly more absorbed in his work of adjusting the papers on his desk.

"Why.— why —" my embarrassment halted my speech still more — "Why, Dugan is on the jury —"

"I didn't talk to him about our case, if this is what you mean"; Brooks' hand suddenly rested on the letters he was assorting and there appeared a faint shadow on his heavy looking face, with something of a scowl on his left eyebrow; his eyes were still downcast.

"But he is on the jury —" I repeated.

"Dugan did not conceal the fact that he knew me when questioned by the other side," replied Brooks in a rising inflection of voice — "Besides, I haven't asked you to teach me legal ethics."

He now turned upon me his muddy blue eyes with unconcealed anger. And immediately my embarrassment and restraint were gone. At last, I could look him in the eye. My fighting spirit was rising; my sense of justice was asserting itself; and all of Virgil Tinker's preachments about tact were forgotten.

"Nelson Brooks," I said to him excitedly, in a tremulous voice, "this is worse than pettifogging. It's rank corruption, and you know it. There is no use condemning Mark Leffingwell's methods and at the same time pursuing his tactics ourselves — What would Mr. Powers think of this!"

I now understood what Tinker meant by tact. I ex-

pected an outburst of resentment on the part of Brooks, a short but heated quarrel, and my inevitable dismissal. But instead the expression on Brooks' face suddenly softened and, turning upon me cordially, he said, "Guy, I can understand your viewpoint — not knowing the exact circumstances, which I can't just now explain to you — but, you see, he is one of our '*spotters*' — he tips us off as to who of the jurors are likely in the pay of Mark Leffingwell. We have been trailing Mark for over a year but he is too cunning — we can't get him personally connected with specific bribery though we hold evidence against some of his accomplices — his '*chasers*' — but we don't care for those fellows — we want him. So, you see, it isn't because I care to influence the jury that I am communicating with Dugan — "

With this he closed his desk and said, "Good night, Guy." It was quitting time and he walked down the long corridor, leading to Luther Coit's office.

## XXVII

A few days later I was again switched to a different department, which was managed by one Colvin Hammersmith. He was a man about forty years of age, with broad, slightly stooped shoulders, with a large nose that seemed protruding out of all proportion to his other features, with eyes, covered with heavy lenses, that gave one the impression of incessantly peering into something. He talked as if his tongue was too large for his mouth, though his voice was rather thin and a bit screechy when he raised it to a high pitch. He was abrupt, almost boorish, in his manner. He walked as if he carried a heavy load and labored under its weight. His specialty

was commercial law and its cognate branches. The main branch was bankruptcy law.

Although he had been associated with Nixon, Wright, Croak & Powers for more than fifteen years, he acted toward everybody in the office as if he were a total stranger to them. He was as clinging as marble, as bloodless as the proverbial turnip. When he laughed you heard only his "Ha — ha" without a touch of laughter's sunshine on his face.

"All right, Stillwell" (he never called any one by his first name), he said to me, when I presented myself to accept orders from him. "Go to the bankruptcy clerk and copy the names of all the creditors appearing in the petition filed today. Ask Dingley (Horace Dingley was a lad working in the "collection department") and he'll tell you what I mean. When you have copied the names turn the list over to him."

He then applied himself to the work before him as if I were an inanimate object. I knew from his attitude that I was to ask no questions of him. So I left and went at once to Dingley.

Horace Dingley was a boy without education (having quit the High School in his second year owing to his father's sudden death and his mother's poverty) and was attending a night law school. He took himself very seriously. He came in the morning with a law book under his arm, hugging the book as he strutted in and not letting it go until he caught the eye of Josephine Dorassey, with whom he seemed to be in love. Unlike most boys of limited education, he had a manifest contempt for college men. After he had explained to me the method of copying the names from bankruptcy petitions, and as I turned to leave, he said to Josephine in a voice loud enough to be overheard by me, "This fellow



has *went* to college seven years and don't know how to get the list." There was unutterable disdain in his voice.

When I turned in the "list" Horace telegraphed to the "correspondents" of our firm to procure the claims for us.

"I thought it was unprofessional for lawyers to solicit business," I remarked to Virgil the following day. (Tinker was always grumbling against "the shysters who have commercialised the noble profession of the law.")

"You don't call this soliciting," he burst out indignantly.

"What do you call it?" I insisted.

"Representing our correspondents. We represent them and they represent us."

"Then why do we advertise in The ——— and in The ———" (mentioning well known monthly, quarterly, and annual publications)? "In what respect is this method different from the method of the shysters who advertise in daily newspapers and offer advice free?"

"Really, you could try the patience of a saint!" Tinker was losing his temper. "One is legitimate advertising and the other isn't.

"Wherein is the difference?" I persisted.

He shrugged his shoulders and dropped the subject.

Several days of depression followed. I had again grown pessimistic about my career. Disappointment was corroding my very heart. I recalled with a sense of bitterness and anguish my secret hope of an earlier day. Ah, the pain of disillusioned youth! The misery of having the mystic veil of blind faith lifted!

When I had decided to give up my profession (and such decisions I had made about once every two weeks since I was removed from Mr. Powers' department) a few of my migrating manuscripts came home to roost

and cast me into greater gloom. So far I had only sold one manuscript (for \$14.00 and two years free subscription for the learned periodical) and the encouraging letters of the other editors had not yet materialised in cash acceptances. And I had to live in wholesome comfort. For in spite of my temperament and literary proclivities I could not tolerate the slovenly Bohemianism which passes for alluring artistry. Perhaps it was the *bourgeoise* blood of my father, but I could not dispense with cleanliness and orderliness; and the rakish escapades of the would-be Bohemians were repulsive to me. You see, I have always been like a pendulum, swaying between the walls of conventionalism on one side and radicalism on the other without touching either. I have been one of those unfortunates who try to stand alone.

Of what use was my college education? I reflected with a failing heart. Colvin Hammersmith had never been inside a college and was a figure to be reckoned with. What other course toward a comfortable livelihood was open to me?

In my present despair I enticed Mike Toner to my room, though he never needed much coaxing. I wanted to hear him talk. I craved his damning diatribes of the legal profession. Not that I would confess my failure but I wished to have him echo the bitterness of my heart.

In order to lead him on I made some derogatory remark about our profession. To my surprise he drew at the cigar I had given him in marked silence. He only smiled and stroked a ragged fringe of his mustache.

"This is surely a Democratic year," he changed the subject rather abruptly, and looked absently in front of him. "Don't you think my chances for election are good?"

"What office are you after?"

He pulled out a handful of political advertising cards from his pocket and gave them to me. I glanced at one. It announced the nomination of Michael T. Toner for Judge of the Common Pleas Court on the Democratic Ticket.

"I am a sure winner this time," he said, watching my eye as I scanned his political card. "This is my eleventh nomination for Judge, but in a Republican county like this I never had a chance. At last I have struck a Democratic year."

I wished him good luck.

"There ain't such thing as luck," he retorted. "Persistence is the thing. Persist and the world is yours."

I stared at Toner. Did my ears deceive me? As he rose to leave — he showed no interest in any subject I broached save the coming election — I noticed his new coat (an immaculate Prince-Albert), his long creased trousers, his polished shoes. He paused in the middle of the room, with his hands behind him, obviously for my admiration.

"Let me tell you the Mrs. is some manager"; and he tossed his head with inexpressible approbation. "She got me this outfit today. 'Michael,' says she to me, 'if you want to be a judge you must look like one.' Some sense to that! Let me tell you, if I had married her sooner I'd have landed on the Bench ten years ago."

All at once he seemed to have forgotten my presence in the room, placed himself in front of the full length mirror of my folding bed, and after combing his few dead hairs on top of his pate with a little comb he had removed from his vest pocket, he straightened his shoulders, thrust his chest forward, struck a dignified pose, then turned around and walked out like a wandering somnambulist.

## XXVIII

ALTHOUGH I was chafing under the uncongeniality of my present surroundings I persisted in the law. I did not know what else to do; and I dreaded poverty. For while I had read of the privations of the great and admired their undaunted courage I was loth to emulate their example in this respect. There is an indefinable something in my make-up that has made me practical in spite of my studious habits. I never burned my bridges behind me until I was certain there was a clear passage in front of me. This wariness had made me industrious when my innate inclination was toward indolence. In fact, I know I am the laziest man in the world—I possess the laziness of the born vagabond, and could literally do nothing for months but lie on my back and smoke and read and dream, without even craving human companionship—and yet I have toiled at most disagreeable tasks with an assiduity that implied an intense love for the work.

Besides, Miss Halsted's attitude toward me was such as to give me hope; true, barely a gleam of hope but hope nevertheless. And while I was not money-mad I realized that unless I improved my financial condition this gleam might disappear.

Before long I had "learned the ropes," as Horace—that omniscient clerk—phrased it. I had not only learned to copy the "lists" but assisted Hammersmith in the bankruptcy court. Hammersmith was in bankruptcy court almost every morning. In every case of any importance he was either attorney for the bankrupt or for the creditors. When he was attorney for the creditors

he grilled the poor bankrupt (for a bankrupt who was not poor was never grilled) with all the venom, and display of righteousness, of the high minded advocate. When he caught his victim in his snares he peered through his thick lenses with glowering avidity and, twisting his body sideways, grunted "I'll bet he'll settle now."

The amounts the creditors were to receive never mattered in the settlements. It was only a question of how much The Clique could get out of it.

The Clique was a body of five lawyers, or firms of lawyers, who literally controlled the bankruptcy business of the city. They controlled it as unrelentlessly as a certain clique is supposed to control Wall Street, whose interests never had greater sway in the nation's financial affairs than did this Clique in the bankruptcy business here. The Clique forced people into bankruptcy, if bankruptcy meant more remuneration; compromised, if that was more profitable for The Clique; or squeezed the unfortunate dry if the spoils justified such action. And while the bankrupt was ostensibly examined, and cross-examined, in open court, with a Referee passing upon the admissibility of evidence the proceedings in bankruptcy court were mere mock-trials.

Of course, the full humor of the comedy (or shall I say tragedy?) of the staged farces in the bankruptcy court never struck me until I had become fully sophisticated. At the time I was too much of a novice to discriminate between the genuine and the imitation. For while it is true that one learns by experience, and one does not often repeat the same mistake, youth infrequently commits other mistakes which are even worse than the one it guards against.

However, the day of another disillusionment soon arrived.

I was seated at a little table not far from Hammersmith's desk, preparing a bill for services supposed to have been rendered for the receiver of a bankrupt's estate. Hammersmith, as usual, was bent over his desk, poring over some papers, when Mr. Clinton Cornhill came in.

Mr. Cornhill was the president and majority stockholder of The Cornhill Dry Goods Company, a concern almost as old as The City itself. There had been rumors among the members of The Clique that The Cornhill Dry Goods Company was on its last leg; and the vultures had been hovering over this victim at close range. The various "correspondents" of The Clique in New York, Philadelphia, and other places where The Cornhill Dry Goods Company were likely to have creditors, had been advised to keep a watchful eye for the fateful moment. Every member of The Clique desired to get the first peck at this carcass with the hope of getting the lion's share of the spoils (it was an unwritten law among the members of The Clique that he who got the largest number of creditors and amounts got the lion's share).

I turned around and caught the fiendish glee on Hammersmith's face as he glanced up and beheld the downcast countenance of Mr. Cornhill. The contrast between the expression of the two faces was most striking. I can see before me at this very moment the stooped shoulders of Mr. Cornhill, his white hair, his yellowish dry skin, the dim eyes sunken in their cavernous sockets, and this hidden joy of Hammersmith which I had learned to detect in spite of his concealment. I find it difficult to give an accurate description of the marked difference between these two. Perhaps a Hogarth might be more successful with his colors. For what pen can picture the avidity, the greed, the expectant joy on the face of an unscrupulous lawyer as he beholds his victim on the

threshold of his office? Who can portray the dejection, the abject misery, the helplessness of him who, hearing the cracking of the walls of his house, flees for refuge?

"Good afternoon, Mr. Cornhill" (Hammersmith extended his horny fingers). "Have a chair. This is certainly a fine afternoon."

Mr. Cornhill shook hands with Hammersmith, mumbled something, and sat down.

Hammersmith's look informed me that my absence was desired and I left the room.

I saw Mr. Cornhill go out about an hour later when I was summoned to Hammersmith's office.

"Stillwell, get in touch with — — —" (he gave me the names of The Clique) "and give them this list" (he handed me a long list of names). "We represent The Cornhill Dry Goods Company — you understand?"

With lightning rapidity a number of copies of this list were made and furnished to The Clique.

The next morning scores of telegrams arrived asking for information about The Cornhill Dry Goods Company. When I laid the message before Hammersmith he grunted (a gleam of sunshine appearing on the side of his big nose) and said laconically, "Wire back that we can give no information because we represent The Cornhill — you understand?"

(Yes, I did understand. I had observed Hammersmith act in this virtuous capacity before.)

Just then Mr. Cornhill rushed in with the spasmodic energy of the feeble who has gained sudden strength in a moment of great peril.

"My God, what have you done!" he cried in a groaning voice, his gray cheeks streaked with tears. "Only a few creditors had been pressing us and since I talked to you yesterday — over night, in fact — every one of

our creditors is at our doors — My God! What have you done!!” he repeated, clasping his withered old hands in anguish.

Hammersmith’s face turned livid for a bare second. I presume he was revolving in his mind how to explain this treachery. Finally he burst out angrily, “What have I done! I have done nothing except thinking how to pull you out of this mess — ”

“Why, we are not insolvent — Mr. Croak knows we are not — I told you that if we are given an extension of six months we’ll be able to meet our obligations — we have assets more than sufficient to pay our indebtedness — but now — with every creditor clamoring at our doors — even those whose accounts aren’t due are threatening — ” he broke off abruptly and dropped into a chair.

Hammersmith’s momentary embarrassment being over he noticed my presence and motioned his head in the direction of the door.

The rest of that day our department seemed like the office of the Secretary of War on the eve of a declaration of hostilities. Mobilization was the spirit everywhere. Hammersmith held a dozen meetings behind closed doors (orders having been given not to disturb him even for a telephone call) — meetings with all the members of The Clique together and with some separately (for occasionally the more influential members of The Clique betrayed the weaker ones); with Mr. Cornhill and officers of his corporation; and quite a few secret chats with Mr. James Croak himself. I also noticed Henk and Talcott (both of whom belonged to a different department) enter Hammersmith’s private office and alternately remained closeted with him for a long period. My interest was also aroused by the fact that Henk remained behind closed doors with Mr. Croak, and I wondered what in-



genious strategy was planned that needed Henk's activities in a sphere foreign to him.

It was quite apparent to me that I was not trusted with some of the details of The Cornhill case. The only thing I learned was that the following day Ed Kohler (a member of The Clique) was appointed receiver of The Cornhill Dry Goods Company, the same Kohler who had attended the conference of all members of The Clique and reappeared half an hour later and held another meeting with Hammersmith and Croak.

## XXIX

THE collapse of The Cornhill Dry Goods Company made quite a stir in the city. Its liabilities amounted to more than four millions of dollars. What seemed strange to me was the statement given out to the newspapers, in which Mr. Croak himself was quoted, that owing to the keen competition of the great department stores The Cornhill had lost a fortune in the past four years and that it was not likely that "our client" would be able to pay more than twenty per cent.

Busy days followed. Our department worked day and night. For a period of three weeks we worked evenings as late as eleven o'clock. The Clique met daily; and while Ed Kohler and James Croak were supposed to be representing conflicting interests they seemed more cordial during that period than at any other time. Kohler had suddenly become a daily visitor at Croak's private office.

Finally the day set for the first meeting of creditors arrived. The long, narrow room of the bankruptcy court was filled to its utmost capacity. The members

of The Clique were all there in person (ordinarily they were represented by their underlings). The Referee was manifestly impressed with the presence of the gathering. It was a rare occasion indeed when such eminent counsel as James Croak, Ed Kohler, Charles Cantor, Alex Dircum and Harry Dunbar—the Big Five of The Clique—appeared in this inconspicuous court room. Judging by appearances this was surely to be a battle of the giants. In spite of his position, the Referee seemed a bit nervous, and kept pushing his collar down as if it irritated him. His effort to maintain his dignity was noticeable. He rapped for order and tried to frown (I think people of no importance imagine a frown lends dignity) but when he began to call the docket his voice was strained. The trial table in front of the Referee's platform was flanked on one side by James Croak and Colvin Hammersmith, my humble self standing back of the latter's chair, and on the other by Kohler, Cantor, Dircum and Dunbar. They all looked dignified, almost austere, with the self-consciousness of a celebrity.

"The first meeting of creditors of The Cornhill Dry Goods Company," announced the Referee.

There was a buzz in the court room. The assistants of the eminent counsel began to remove their documents from their brief-cases. The lawyers on the other side of the table were passing the "proofs" of their claims to our side of the table and after a moment's consultation with Mr. Cornhill, who was seated alongside of Mr. Croak, the proofs were passed on to the Referee, who stamped the documents, saying "allowed."

The claims were many, and the monotonous proceedings of passing the "proofs" to our side of the table and then to the Referee lasted a long time. Suddenly there was a hush. I noticed the craning of necks in the direc-

tion of the entrance to the court room. Suppressed exclamations of surprise were heard. I turned and beheld Mark Leffingwell, with his brief-case under his arm, edging his way through the throng, smiling his sunniest, his sparse curly hair betraying the dexterity of a hair-dresser, his high collar as immaculate as his dandified cut-away and creased trousers. He bowed smilingly to the Referee and to the counsel on both sides of the table. The counsel returned his greetings with unconcealed displeasure. Then slowly opening his brief-case, he removed three "proofs of claim."

"What in hell is he doing here?" Croak muttered inquiringly of Hammersmith.

"I don't know," murmured Hammersmith nervously, and became interested in his finger nails.

"Have you checked up all the claims?" This from Croak to Hammersmith in an undertone.

"We did. Kohler assured me we had them all," was Hammersmith's rejoinder.

Kohler, too, paled and murmured something to his hireling next to him. The rest of The Clique exchanged irritable glances. Evidently something had gone wrong.

"If it will please your honor," Leffingwell presently addressed the court in his slow, deliberate, articulate manner, accompanied by his undying smile on his lips, "I wish to present the claims of —" (and he mentioned the names of three creditors). He remained standing as the claims were being shown to Mr. Cornhill and then passed to the court.

"The damned braying ass has already started his pyrotechnics," Croak whispered to Hammersmith contemptuously.

"I wonder what's his purpose," murmured Hammersmith, half to himself, when he learned that the aggregate

amount of Leffingwell's three claims was a little less than nineteen hundred dollars.

It was clear to everybody that Mark Leffingwell, whose fee for trial work was several hundred dollars a day, was not handling three paltry collections for the fee there was in them.

Attention was soon diverted from Mark Leffingwell. The Referee was calling the names of the creditors in order to elect a trustee (the majority of the number and amounts determines this). All votes save three, represented by Leffingwell, were cast in favor of Ed Kohler, and the Referee promptly announced his election and fixed the bond. And Ed Kohler just as promptly "engaged" Alex Dircum and Charles Cantor as his counsel.

"We'll now proceed with the examination of the bankrupt," the Court announced.

Mr. Cornhill was sworn and took the witness seat.

Mark Leffingwell was instantly on his feet.

"If your Honor please," he chanted in his tenor voice, allowing something akin to an echo to follow the utterance of every word, like the dying sound of a tuning fork, "I object most strenuously to have Mr. Kohler act as trustee in this case and I object still more emphatically to his having the most eminent counsel, Messrs. Dircum and Cantor, represent him in the capacity of counsel for the trustee."

All eyes, malicious and angry, were focused upon the speaker as the words dropped from his lips with the precision of a Booth or a Richard Mansfield. As soon as he closed his brief speech the same eyes turned upon the Referee inquiringly, as to whether or not he cared to discuss such a preposterous proposition. Clearly there was no precedent for the objection entered by Leffingwell.

The Referee wrinkled his brow, as if to recall all the

authorities on the law of bankruptcy, and then, turning to Leffingwell, snapped, "What is the ground of your objection?"

"If it will please this honorable court," Leffingwell chanted again in a minor key, "the grounds of my objections are these: First, that Mr. Edward Kohler is not unfriendly — h'm, to put it mildly and inoffensively" (his smile broadened, followed by a silvery laugh) — "to the bankrupt. The Bankruptcy Act clearly contemplates the election of a trustee wholly disinterested in, and unbiased in favor of, the bankrupt —"

"That's understood," the Referee struck in impatiently and irritably.

"And, secondly," Mark Leffingwell resumed, "the counsel for the trustee ought to be a lawyer whose interests, if not wholly adverse" (again punctuated by a silvery laugh), "are at least not so friendly that he might not — a — he might not slur over, or — a — condone fraudulent acts committed by a bankrupt" (a murmur of bitter protest against the insinuation, with venomous glances at the speaker). "Not that I charge the present bankrupt, The Cornhill Dry Goods Company, with fraud" ("You had better not," burst out Mr. James Croak with all the dignity of a president of a Bar Association) "but, I submit, that counsel ought to be so disinterested that should fraud be found they would be in a position and frame of mind" (smiling broadly), "to press the charge —"

"We understand the theory all right," said the Referee with a show of greater impatience, "but what proof have you that any of the gentlemen referred to are not disinterested?"

Hammersmith peered through his lenses at Leffingwell, who was still standing and smiling graciously and evidently enjoying the situation.

"I expect to show, if it please this honorable court," proceeded Leffingwell, breathless anxiety on the faces of The Clique, "that the office of Nixon, Wright, Croak & Powers had furnished a list of the creditors of The Cornhill Dry Goods Company to the legal firms of the Messrs. Edward Kohler, Alexander Dircum and Charles Cantor before the petition of involuntary bankruptcy was filed. In fact, I expect to show that Mr. Kohler, Mr. Dircum and Mr. Cantor held a meeting at the offices of Nixon, Wright, Croak and Powers—to be still more precise, at the private office of the Honorable James Croak—at which meeting it was pre-arranged that Mr. Kohler was to be receiver and trustee and the Messrs. Dircum and Cantor his counsel. Furthermore, at that meeting the shares of spoils were definitely adjusted."

Mark Leffingwell paused and dramatically glanced around the court room, then let his eyes rest alternately on Cantor, Dircum, Kohler, and finally upon Mr. Croak, whose face underwent many colors despite his mutterings of "outrageous."

Mr. Croak rose and spoke solemnly.

"I will not even stoop to deny the slanderous and impudent insinuations —"

"Charges, if you please, Mr. Croak," Leffingwell struck in ironically.

"Charges or whatever emanated from your foul mouth," thundered Mr. Croak and, turning upon Leffingwell, "Let us proceed with the examination of the bankrupt, if your honor please, and the court can set for hearing the *charges* (glowering at Leffingwell, who was still smiling sweetly) at a later date."

A good deal of sparring between counsel followed. The Referee—though it was evident he was rather enjoying the charges flung at the eminent counsel—finally

ruled that since so far there was no tangible evidence before him he was compelled to overrule Leffingwell's objections.

But at this point Mr. Cornhill requested the court to have a word with his own counsel. He stepped down the little platform on which the witness chair was placed and his head formed the third side of the triangular group, the others being composed of Croak and Hammersmith. Something that Mr. Cornhill whispered to his counsel evidently angered them, judging from an undertone remark overheard by me; who was back of Hammersmith's seat.

Mr. Croak soon rose and asked if the court would have any objection to passing the examination of the bankrupt to the following day, because Mr. Cornhill was in his seventy-third year and the proceedings that morning had so fatigued him that he was not able to stand the examination.

The Referee glanced at the counsel on the other side of the table, and observing no unwillingness on their part, granted the request.

### XXX

IN spite of the defiant looks and utterances of The Clique it was soon apparent that Mark Leffingwell's accusation struck terror in their hearts. They all realized that Leffingwell would not have dared to make this charge without some evidence to substantiate it. They wondered how much of his knowledge was "provable."

This question must have worried them all. For no sooner did Croak and Hammersmith get back to the office than they retired to the former's private room and

remained behind closed doors most of the afternoon. Dircum, Cantor, and Kohler, too, dropped in.

Shortly after the "lawyers for the creditors" left our offices I noticed Henk go into Hammersmith's room, where he remained a considerable time. My services were evidently not wanted that day either. For though Hammersmith had ordered me to prepare certain pleadings in The Cornhill Dry Goods Company's matter he dismissed me with averted eyes and said he would see me about this the next day.

The following morning I accompanied Hammersmith to the bankruptcy court. I noticed the grim, sullen expression on his face, but that was not unusual for Hammersmith. What did surprise me was the absence of the eminent counsel when The Cornhill case was called. Instead of Messrs. Croak, Dircum and Cantor, who had adorned the court room the day before, I found the usual group of hirelings, except the receiver, Ed Kohler, who was there in person. I wondered what had happened. Presently Mark Leffingwell appeared, his gracious smile broader than ever.

As he took his place on the other side of the table Kohler arose and addressed the Referee as follows: "If it please the court, since insinuations were made the other day that I, as receiver of The Cornhill Dry Goods Company, appointed as my counsel men friendly to the bankrupt I thought best to avert even a semblance of suspicion and have appointed as counsel for the receiver the very man who made the charges. Mr. Leffingwell will examine the bankrupt, and he may pursue the examination of the bankrupt with the skill known to be at his command."

Leffingwell made a bow like an actor after a curtain speech. The Referee looked puzzled but reticent.



"They've bought Leffingwell!" I jumped at the conclusion, and boiled with the indignation of righteous youth. Hammersmith, with his eyes peering through his lenses at his papers, acted as if he had no interest in the present proceedings. However, he raised his head as if suddenly stung when Leffingwell asked the court for an adjournment of a few days "in order to subpoena a few important witnesses." Kohler, too, seemed to be aroused. He turned to Leffingwell and said in a constrained voice, though with an affectation of naturalness, "If you'll give me the names of the witnesses I might be able to get them in at once — we can call them by 'phone."

"No," Leffingwell responded with great deliberation, "I shall probably want certain books which are in the custody of people who would not testify unless subpoenaed in the regular order."

"Suit yourself about it," Kohler rejoined nonchalantly, though his face betrayed apprehension.

The Referee then granted Leffingwell's request and adjourned the hearing for three days.

I followed Hammersmith back to our offices. He never had much to say to me but on his way his shoulders were more stooped than usual and his peering eyes seemed to study the flagging of the sidewalk with extraordinary scrutiny. It was the first time I had ever seen Hammersmith painfully worried. There was the look of a hunted man on his face.

Coming into the long passageway inside our offices he came face to face with Mr. Croak, who was coming toward us with a smiling countenance.

"Everything all right?" Croak remarked.

"I'd like to talk to you," replied Hammersmith gloomily, and instantly a cloud of anxiety appeared on Croak's face

I knew nothing of further developments until the next day. I was in Hammersmith's room when Mr. Croak rushed in with, "What in hell is he up to now?"

He held a subpoena in his hand. I knew he referred to Leffingwell.

I noticed Hammersmith's look and left the room, though the whole affair seemed so mysterious that I was anxious to stay and catch a clew to this mystery.

There was great activity in our department the next few days. The various departments of the firm had suddenly assumed their integral character. Mr. Powers was the only one who was evidently overlooked. I noticed Luther Coit and Nelson Brooks go in and out of Hammersmith's room — a rare occurrence that — with grave concern on the faces of all. Also the presence of Henk and Frank Talcott attracted my attention.

At the next hearing in bankruptcy court Leffingwell called Mr. Croak as his first witness instead of calling Mr. Cornhill, the president of the bankrupt concern, as was expected. Mr. Croak took the witness stand jauntily and after Leffingwell elicited answers to some preliminary questions Hammersmith objected to further questioning him on the ground of privileged communication between attorney and client. Leffingwell insisted that since Mr. Croak was also a stockholder of The Cornhill Drygoods Company (which fact was admitted) and since the information he was trying to obtain was such as was not communicated to him in the capacity of attorney for the bankrupt he ought to be made to answer. But before the Referee had a chance of ruling on this question, Mr. Croak, with a forced smile on his face, said, "All right, we'll waive all privileges. We have nothing to conceal."

After several inconsequential questions Leffingwell

asked whether Mr. Croak, as counsel for the bankrupt, had turned over all the bankrupt's books, to which the witness answered in the affirmative.

"I notice that the cash books of 19— and 19— are missing," asked Leffingwell with apparent unconcern. "Can you shed any light on the absence of those books?"

"I know that the books referred to were burned in the fire that occurred about four months ago," answered the witness, and filipped a speck of imaginary dust from his sleeve cuff.

"How do you know that?"

"Because after the fire the auditors had difficulty in striking a balance of the assets of The Cornhill Dry Goods Company and my attention was called to this at the time."

"They are not missing because it is to the interest of the stockholders to have them missing?" Leffingwell threw his head back and laughed softly.

"Your insinuations are unprofessional," burst out Mr. Croak, wiping the perspiration that suddenly appeared on his forehead. "I am willing to give you all the information within my knowledge, but I won't stand for any insults."

(The Referee admonished the eminent counsel against indulging in personalities.)

"So you are absolutely positive that those books were burned in the fire?"

"Absolutely."

Mr. Croak was then excused.

"Call Mr. Henry W. McNamara," sang forth Mr. Leffingwell.

All eyes turned in the direction of the door. The expression of alarm was too plainly visible on the faces of Croak and Hammersmith. The name was strange to me

and I, too, turned inquisitively. To my amazement I beheld the grinning physiognomy of Henk — my old comrade Henk — I had never thought of him as Henry McNamara — his upper lip slightly raised at the point where a cigar or cigarette usually rested and exposing the aperture of his missing tooth with satyric effect.

"My God!" groaned Mr. Croak and tugged at Hammersmith's coat sleeve. "The little snake has double-crossed us."

"Keep still," Hammersmith cautioned his superior irritably, and, rising, addressed the court: "May we have a few moment's recess?"

The Referee readily gave consent and retired to his private room.

"By God, he has got us by the neck," whispered Hammersmith to Croak, his hand at his mouth shielding his utterances from being carried across the table. "The whelp double-crossed us in great shape."

The "whelp," alias Henk, alias Henry W. McNamara, was standing at the end of the trial table, lighting a cigarette, as the Referee stepped out. He did not seem embarrassed or excited. Mark Leffingwell turned around and said in a calm voice, without the least shade of a smile on his face, "Hello, Henk."

Suddenly Hammersmith turned around and said to Leffingwell, "Can I have a word with you?"

"Certainly — a — certainly," acquiesced Mark cheerfully; and the two moved to a corner of the room and became engaged in a tête-à-tête, surprisingly amicable under the circumstances.

After a short space they went to the Referee's private room and arranged for an adjournment of the hearing to the following morning.

There was a great ado in our offices during the rest

of the day. Secret conferences, a hurried meeting of the directors of The Cornhill Dry Goods Company, several visits of Ed Kohler, who, I learned later, acted as the intermediary between Leffingwell and our side, and toward the close of the day came the hush of an armistice, with the palpable sadness of defeat in our quarters.

The terms of this armistice were revealed to me a few days later. I dropped into Schmiernund's and passed Henk and Talcott, who were seated in a cosy corner and feasting quite ravenously. The neck of a bottle of champagne, protruding from a tin pail filled with ice, gave evidence of a celebration. Also Henk's dancing little eyes and hair damp from perspiration betrayed a gala occasion. Although I sought to ignore Henk he piped up jubilantly, "Hello, Guy."

After a space he came up to my table, Frank Talcott having left.

"There is no reason why you and I should stop being friends," Henk said in a conciliatory tone, as he settled in a chair opposite me.

Much as I despised him my curiosity prompted me to tolerate him now. I was eager to learn the details of the manifest conspiracy. Henk needed no coaxing. Ordering a "bourbon" and swallowing it with one gulp his tongue loosened.

"We gave your fellows a dose of their own medicine," was the way Henk phrased it. "We have locked the lips of Nixon, Wright, Croak & Powers, and the rest of the bunch who were on Mark's trail, and thrown the key into a deep well." Henk snickered roguishly. "You'll admit the Pinkertons and Scotland Yard have nothing on me."

He evidently assumed that I had knowledge of the

conspiracy he had successfully carried out. When I explained my ignorance he warmed up with overflowing enthusiasm.

"You don't know? Why do you think I left Mark? The boobs imagined I was enticed by their pay. Your fellows thought they were smart but we showed them they are a bunch of boneheads."

He lit a cigarette and, moving his chair closer to the little table between us, continued, "You see, them corporation guys were after Mark's scalp for some time, and I admit he had some close shaves. At the time I left Mark it looked pretty black for him, and for the whole bunch of us. Yes, sir, they caught us all in a sack and were about to tie its mouth. It certainly did look black for us. It was then that Nelson Brooks made me a proposition. The pact was to give Frank and I the immunity bath and hang Mark. We promised to produce the goods and save our own skins. And we strung Coit and Brooks and the rest of them along until the opportunity presented itself. If the Cornhill failure had not happened we would have sprung our surprise on Coit and Brooks in another matter — we hardly hoped to get as big a fish as Jimmie Croak. That was an accident."

"How did you get the evidence?" I asked.

"Give a fellow a chance and you'll hear the whole gag," Henk said proudly. "Back of Croak's private office, in the other wing of the building, is Pat Keegan's office. With Pat's assistance and one thousand dollars paid to the night watchman it was not difficult to install a dictaphone in Keegan's office and conceal the wires right under Croak's nose. So stenographic notes of the proceedings of the secret meeting between Croak and the other bankruptcy lawyers — their arrangements for the division of the spoils — were easily obtained. But it never rains

but it pours. The day after we got the evidence of the meeting Mr. Croak called me to his office and ordered me to take a set of Cornhill books — the books Croak testified were burned — to Chicago, where I myself helped place them in a vault as directed by Croak. The rest was easy. We have now sealed their lips forever. They'll never bother Mark no more, I can tell you. And I am back at Mark's."

"Did they also pay Mark any money?" I asked innocently.

"Did they? O, boy! One hundred and fifty thousand dollars in cold cash, which was divided in four equal parts after paying Pat Keegan ten thousand for his little job, and all other incidentals. We could have gotten half a million but we didn't want to blackmail 'em. And from now on the lion and the lamb shall lie down together, and the lion shall eat straw like the ox — isn't that what the Bible says? — Hello, Nelson?"

(Nelson Brooks and Luther Coit had just come in and were looking for a table.)

"Hello, Henks!" Brooks returned the greetings brusquely and passed on.

### XXXI

THE episode of the Cornhill case shattered the beautiful house of cards I had put up. How I longed for my father's farm — for the plough and the harrow, for the pitchfork and the flail (in my childhood my father still used the antiquated method of thrashing) — how I hungered in my evening solitude for the work of the toiler!

The morning following Henk's revelation to me I walked from my boarding house to my office past a

building under construction. I paused and watched the structural iron workers, drilling and pounding, pitching and catching red hot spikes as if they were mere balls; the masons and the carpenters and the hod-carriers bending under the weight of their loads — I watched them all with unshed tears in my eyes and with shame in my heart because of my cowardice, of my indolence, of my insincerity. I passed a grocery store on the corner, and I envied the clerk — he, too, was a cog in the world's industry. What was I — indeed, what was I? A humbug, a parasite, pursuing a career of sophistry, of mental jugglery, living by my wits.

As I approached our office building I made a resolution: I decided to give up my profession even though I starve, even though — yes, even though I must give up all hope of winning Mary.

With this intention in my mind I entered the office and sat down at my desk to collect my thoughts, when the office boy, who had charge of distributing the mail, handed me a letter. It was from a well-known publisher in New York, to whom I had last sent the manuscript of my first book. (He was the seventeenth publisher, and my heart began to beat fast as it had often done when "regrets" reached me.) I tore the envelope eagerly — for a literary aspirant, like a lover, never loses hope even when the situation seems hopeless — and was struck with the length of the letter. I scanned the two typewritten pages hurriedly. I was not reading the contents of the letter but looking for the familiar word "regret." It was absent. I then leaned back in my chair and persued it carefully, leisurely. I could hardly believe my eyes. But it was true. The letter was signed by the head of the firm. He praised my manuscript and said he would be glad to undertake its publication.



Suddenly all my gloom disappeared; all depression was gone. The very sordid atmosphere around me — the atmosphere I had recently so detested — all at once seemed inviting and congenial. In my feverish enthusiasm I rushed to Mr. Powers, to Nelson Brooks, to Virgil Tinker, even to Horace, and told them of my good fortune. (And what young author does not look upon the acceptance of his first manuscript as a good fortune?) Mr. Powers, his eyes beaming congratulations, shook my hand and patted me paternally. Nelson grunted "good luck!" without enthusiasm. (Nelson was too practical to share the enthusiasm of a young author.) Horace exclaimed, "Isn't that great?" (I could see suspicion in his eyes, as if he doubted my statement and wanted more convincing proof.) Virgil Tinker seemed rather flushed with excitement and showed interest. "I presume you'll now throw the law overboard and stick to writing." (He must have read accounts of the fabulous fortunes made by popular authors.) I modestly explained to him that I did not as yet expect to earn my bread by my pen. Had I not sworn fealty to the creed of art for art's sake?

When one is genuinely happy nothing seems sordid, nothing is commonplace. Even Schultze's boarding house appeared inviting. I did not get much attention from the husband and wife because it was just a few days before election, Mike making the rounds of saloons electioneering and Mrs. Toner was getting herself properly attuned for the position of a Judge's wife. (She spoke of Mike's immediate future as if he were about to occupy the White House.)

But the reception given me by Miss Halsted was to me more precious than the vanity of having my first book published, dearer even than the prospect of a successful

literary career. I have refrained from giving an intimate description of Mary in these pages because I have already done that in my first novel and, unlike famous painters, I am loath to use the same model in all my canvases, especially when the model is my beloved.

How can I forget that evening? Mary, who had heard the good news from her uncle, evidently expected me to bring the tidings in person. When I rang the bell — and I arrived there before they had finished their dinner — Mary came to the door. She needed not to tell me that she knew and that she rejoiced with me. Her flushed cheeks and her sparkling eyes were witness to that.

"Oh, I knew you'd have no trouble in getting it published," she said jubilantly.

(This was the first inkling she had given me that she even knew I had written a book.)

I must have stared at her dubiously.

"Perhaps I had no right to," she added, "but I did read your story surreptitiously. Uncle John doesn't know that I have read it."

I caught my breath and was unable to make a rejoinder. I wondered if she recognized herself in the story.

"I sincerely hope you like the book — I wanted you to like it," I soon said falteringly, unable, however, to conceal my eagerness for her approval.

We were soon in the living-room talking — about the book. It was so absorbing, for the book also meant Mary. Mr. Powers had come into the room, given me a benign glance, and after saying "I won't take advantage of you this evening. You are too excited about the book to think of chess," passed out of the room, his hands behind him, in deep thought.

How kindly, how sympathetically he uttered these words! Who but his closest friends could fathom the

tenderness of this man, who, to the outside world, was merely a great lawyer, an austere scholar.

"Why did you make your hero give up so easily the girl he loved?" Mary asked. "It is a bit inconsistent. A man such as you have portrayed in real life would not give up so easily."

She evidently became self-conscious of the import of the question and blushed.

"I think he would," I defended my hero. "He loved a woman much above him — socially, financially, and in every other way. He was no climber, no fortune hunter, and was keenly sensitive. He felt that if the woman loved him she would have taken the initiative."

"But you didn't expect her to propose to him?" she argued.

"Well," I stammered, "under the circumstances she should have overlooked conventionalities. When a woman loves a man who she knows loves her and because he thinks her above him would not dare declare his affections, it is the woman's place to take the lead."

Mustering up courage I looked into her face but her eyes were averted. Instead of continuing to argue this point she picked other flaws in the story. For a moment I forgot my love for her and listened with amazement to her criticism. I had not thought her studious enough for such fine literary discrimination. Frankly, in spite of my ardent love for her, I had regarded her light minded. She had seemed too much devoted to athletics and social pastimes to care for the more vital things in life.

"And I thought I knew you," I found myself saying quite irrelevantly.

"What do you mean?" She now looked at me puzzled, her eyes wide open, a dent between her eyebrows.

"Nothing — really nothing," I murmured, fearing to trust my tongue to explain what was in my mind.

She did not press for an explanation.

Indeed, can I ever forget that evening? Can I forget the thoughts unuttered which we both understood, the sentiments felt though deeply concealed? But it was not then that I reminded her that a hero such as I worshipping a heroine such as she must wait for her to speak.

### XXXII

THE following month was rather momentous for me. My book was published and proved an instant success; financially as well as literary. I must confess my vanity was stirred as my eyes feasted — yes, literally feasted — upon the laudatory reviews of the book. Even the notices in the newspapers (stereotyped paragraphs sent out broadcast by my publisher's press agent) — even these ready-made eulogies filled me with ecstasy. Besides, I was pleased with the attention that was given me. People who had never noticed me looked at me now as if to say, "I didn't imagine you had it in you." And while, unlike Byron, I had not grown famous over night, I was no longer an indistinguishable dot on the horizon.

For while it is undoubtedly true that in this country more than in any other in the world, money is the keynote of all homage, with culture and learning trailing behind like poor relatives, the money people themselves entertain an insuppressible regard for authors. These masters feel subconsciously that authorship is the only thing they can not buy. They can purchase, appropriate, or steal the invention of a genius and palm it off on the public

as the fruit of their own brain; they can hire art connoisseurs and book collectors to adorn their homes, and surround themselves with musical talent, and thus pass for lovers of the fine arts; they can even buy seats in the Senate and gain a reputation for statesmanship. Indeed, money is the sesame to all avenues of earthly vanities — all except to that of authorship. Even Virgil Tinker, whose highest ambition was the hobnobbing with the rich, and who had of late shown me marked hostility, even he treated me differently since the appearance of my book.

When I received my publisher's first check for \$1,357.32 I sat and stared at it with the avidity and glee and expectancy of the weary miner in the days of the California gold fever as he beheld "pay dirt" in his sieve. Unlike other young authors, I entertained no suspicions about my publisher. On the contrary, I was convinced I was paid more than was due me. In fact, I suspected my publisher overpaid me as an act of encouragement. And when my publisher sent me a round-trip ticket to New York and invited me to visit him I felt assured that I had safely arrived and at once quit my uncongenial labors.

When I announced my decision all my friends in the profession congratulated me. I had never known that there were so many malcontents among lawyers. Even those who were supposed to have risen high in the profession expressed themselves almost enviously at my prospect of giving up law for literature. "If I could write as well as you I wouldn't be a lawyer for a day," was the comment of my acquaintances.

My simple minded father was the only one who betrayed distrust in my new step. In fact, he was horrified when I returned home and told him of my resolution.

"I have given up the practice of law as a matter of principle," was the way I put it to my father.

"Principle!" he almost shouted and lost his temper. "All your life you have been talking of principle. You quit Sunday School as a matter of principle (with a contemptuous grimace on his face); you almost quit college as a matter of principle (this time he made a noise with his tongue and lips as he uttered the word "principle" to convey to me that he figuratively spat on it); you gave up your preparation for the ministry as a matter of principle (and he jerked his clenched fists); and after you have succeeded so well with one of the most honorable firm of lawyers in the West (all sections of the country west of Boston were the West to my father) — and now, the bucket being full, you've kicked it over! If Abraham Lincoln could practice law without violating his principles I reckon you can, too."

My father leaned back in his seat, crossed his legs, folded his arms, and looked away from me. His disgust was evidently inexpressible.

How could I make my meaning clear to him? How could I explain to a practical farmer the chafing of a sensitive soul? I sat silently before him without attempting to refute his statements.

That month was also momentous for Mike Toner. His prediction came true. With the exception of the candidate for prosecuting attorney the county went Democratic and swept Toner into office. His life-long ambition was realized. Persistence was rewarded.

The election had a strange effect on Toner. He now wore his new suit of black broadcloth daily, donned a clean collar (almost daily) with a new black string tie held in check by the little wings of his collar, and washed his face regularly every morning. (If he had learned

to spit away from himself his coat might have stayed clean, too.) Strange to relate, I found him before a mirror every time I entered the house, absent-mindedly studying his new attire. When he was not before a mirror he wandered about the house, or the streets, wistfully talking to himself. (He began to "charge the jury" the moment the election returns confirmed his hopes.) After continued sobriety for five consecutive days he got drunk, and stayed drunk nearly a week while Mrs. Toner was giving notice to the "roomers" and boarders that they would have to look for other quarters, feeling that besides the improvement of her finances it was not becoming for the wife of a judge to keep boarders.

On the night that I left Schultze's, while Mrs. Toner was expatiating upon her rise in the world, Mike, judge-elect, resting in a high-backed rocker, his legs sprawling over the floor, was muttering with a drunken snicker, "She, — sh's right — hic! — she' — sh's damned right — hic! a Judge must be dig — hic! — dignified — hic!"

### XXXIII

ABOUT a year and a half later I found myself in the position of the boy who dreamed one night of an abundance of jam at which he could not get for want of a spoon, and the next night, the required spoon safely under his pillow, the jam did not reappear in his dream.

Having felt the need of a broader knowledge of the world and of life for my new career I had gone abroad for travel and study. This course of education was suggested to me by Mary. Without her telling me I knew she thought I needed broadening. And while I

had had a craving for travel it had been vague, like many desires of which one is uncertain of their attainment, until Mary had put it into words. (Mary has a genius for putting into words my unexpressed wishes.) I seized upon the idea — as I seized upon everything that appealed to me — with great zeal. The fact that Mary had suggested it was sufficient to fire my imagination without any other inducement. For since that happy evening when we first talked about my manuscript my hopes of winning her had been rising. This suggestion was an encouragement. Her charming letters during my stay abroad were an inspiration.

I returned to New York with a finished manuscript (and with "notes" for many more) but with scarcely more than three dollars in my pocket. I went to my publishers' with the precious packet under my arm. I was well received. The head of the editorial department (who was a Southerner with all the courtesy and kindness that that signifies) read my manuscript the same day and told me to see him the next. When I came to learn of his opinion I noticed disappointment on his face in spite of his attempts to conceal it.

"Isn't this book as good as my first?" I asked with a shrinking heart. "I am sure I have written it with the very blood of my heart. I —"

"Of course, you have," he spoke kindly, sympathetically, "and the manuscript shows it plainly. It is what the publishers have been fond of calling a human document. It rings true. It's full of idealism and fine thoughts. The characters are all well drawn and true to life — that's it (and he paused, taking off his glasses and looking away from me a bit pensively, as if he were hesitating whether or not to speak his mind) — that's it, it is too true to life," he finally uttered and paused again.



Then he resumed, with the tenderest smile on his benign face, "You see, you are an idealist — and what is worse you believe the world is full of idealism." He paused again for a bare second, a cloud appearing on his face. I could see his last utterance pained him. "Your book may please the critics. But — you see, the critics don't buy books — they get free copies (and he smiled again) — and the public — the public which buys books — wants its reading, as it does rich wine, a little diluted. Study the methods of —, of —, and of —" (he mentioned the names of three novelists who were then in vogue).<sup>1</sup>

"But their books are trash — scarcely good enough for the rubbish pile — their characters are mere puppets — their plots artificial," I burst out undiplomatically, forgetting that the three authors mentioned appeared on my publisher's list. "Rather than stoop to that I'd tend bar —"

"I don't think you'd be a success at tending bar," he said, laughing indulgently, though not without sympathy. "You'd find the rule of successful authorship holds good in successful bar-tending — in the success of any calling. You must compromise in all walks of life. It's only extreme youth that refuses compromise — and those who refuse to compromise — alas! — die failures" (there was an echo of deep sadness in his voice).

He rose from his seat, walked up to a book-case on his right, removed a copy of my first book and a copy of one of the popular authors he had mentioned, and, holding one in each hand, said, "Your book is worth a thousand of this (referring to the popular one). This one, as you say, is the merest trash — and we know it — and everybody else knows it — but it sold to date — and it was only published nine weeks ago — one hundred and eighteen thousand, while yours in a year and a half —

and the life of a novel nowadays at best is only six months — has sold nine thousand — and yours was known as a success! It is unfair — it is unjust — it is wrong — but the best we can do is to complain and criticise and submit to the unalterable will of the public."

"Would you want me to prostitute whatever talent I may possess for mere dollars!" I exclaimed impulsively, feeling that even my innate urbanity was slipping away from me. I rose to leave.

"I want you to do nothing of the sort," he replied, also rising; and as he was several inches taller than I he rested his hand gently on my shoulder, as if slightly detaining me. "I want you to go on with your enthusiasm and idealism and youth — perhaps you'll prove the exception and — succeed." He tried hard to suppress a soft sigh. Then he straightened his shoulders as if suddenly throwing off all sentimentality and said, "All right, we'll publish this book for you, but don't be disappointed if it fails — financially, I mean. I am breaking a hard and fast rule of this house not to publish any book which in our opinion would not pay for itself."

"Thanks," I retorted with the unreasonableness of youth. "I shall accept no charity. You'll please let me have my manuscript."

There was a look in his dreamy, misty brown eyes, and an expression on his face, I could not read. Even at this moment, looking back and recalling his face before me, I am unable to catch the meaning of his expression. At the time I suspected he pitied me; and nothing antagonized and infuriated me more than to have any one pity me. I did not realize that this was merely a kind publisher's diplomatic way of declining a manuscript.

He pressed a button and summoned a boy, whom he ordered to have my manuscript wrapped up. He also

ordered a check made out to me for royalties due me on my first book (the check was for \$61.13, covering sales of the preceding six months).

"I wish you the best of luck," he said as I was taking leave of him, and pressed my hand warmly — almost affectionately, I thought. "I sincerely hope I am mistaken about the salability of this manuscript — no one will be happier than I to find myself mistaken. If I should be mistaken I want you to come and see me and we'll feast on the best Sherry's can furnish."

I walked away in silence. The interview had taken all the joy out of me, the accumulated joy of eighteen months.

However, as soon as I left him my courage returned. The confidence of youth is never daunted. "I'll show him he is mistaken," I said to myself.

On the strength of my first book I had no difficulty in getting a new publisher, who was anxious to follow up whatever prestige I had gained through my first and brought it out immediately. I was now tingling with enthusiasm. Aside from my anxiety to succeed — and be rid forever of my legal career — I was eager to prove to my first publisher that he was mistaken.

The "review notices" raised my hopes. I had gone to my father's farm and there, like a nominee for political office on the eve of the election, was waiting for favorable reports. My father's faith in me had not grown and he was only tolerating, without sharing, my sanguine expectations. In fact, the critics were even kinder to me now than before. They praised my originality, my sincerity, my method of treatment. A few kind souls indulged in flattering comparisons. The *London Times* (for my publisher had made arrangement to have my second book published in England at the same time) found in

my work "the broadness of scope, and the simplicity of vision" of Tolstoy! And as my book was published in October I was no little elated over the fact that *The Review of Reviews* included my book in its December symposium of the "worth while" books of the year.

Eager to learn of the financial end of my second effort I intimated to my publisher that although my contract provided for an accounting at the end of every six months I would appreciate if he would pay me my royalties at the end of three months. A reply arrived promptly. By return mail I received a check for \$37.06, "covering all royalties to date," after deducting, of course, the number of "free copies," for which I was not entitled to any royalties. (The typewriting of the manuscript had cost me a little more than ninety dollars!)

My publisher's check arrived on the day before Christmas, while my father was in the act of trimming a fine little evergreen for the evening's celebration, when he expected two of his grandchildren. My father watched me from the corner of his eye and, I could see, noticed the check with no little concern. (Not that he begrudged me my board, I am sure, but he regarded my present occupation with suspicion from a moral and financial standpoint.) Evidently the sight of the check raised my father's estimate of the writer's craft in spite of his moral scruples.

So when I failed to join wholeheartedly in the evening's celebration my father's countenance fell. He apparently thought that now, having become enriched by means of my questionable profession, I had grown arrogant and flaunted his religion in his face. For in spite of my heterodox views I had always made an effort not to offend my parents with regard to their belief, in which they had grown more devout with their advancing years.

Before long I realized that I could not support myself by my pen. I had written stories and sketches and essays, and while I had succeeded in placing some of them I could not procure acceptances from "popular" periodicals, with the result that the laborers on my father's farm earned more than I did. And all of a sudden it dawned upon me that I was nearing my twenty-eighth birthday with no brighter prospects of independence than on the day I left college!

The thought of returning to law filled me with dismay and disgust. The prospect of presenting myself before Mary a failure once more almost crushed me. But what else could I do? The seven years at college, and my gentlemanly occupation since then, unfitted me for work on the farm.

#### XXXIV

I WAS agreeably surprised to find myself quite welcome in the city I had left nearly two years before. The people here evidently assumed that I had not only gained fame but also fortune. In fact, owing to my past sojourn here my books had sold well in this city and had been read extensively. My friends and acquaintances received me with manifest cordiality. When I informed them that I had come here to stay and again take up the practice of law they evinced no little surprise. I could read their thoughts. They thought me mercenary. What other motive could be assigned to one who could pursue as honorable and fascinating a career as literature and still persist in a profession as sordid as the law?

The only one who needed no explanation was the sly Judge Toner — Mike Toner of old. "I knew you'd come

back to it," he commented wistfully, chewing a fringe of his mustache.

Toner had changed considerably. The two years of his judicial career had evidently made him more practical. While I learned that he had still not infrequently lapsed into inebriety he guarded his position with a cunning I had not suspected he possessed. What struck me as odd was his self-restraint in speech. He guarded his tongue with the circumspection of a diplomat. When I made an insinuating remark about the law he scowled rather judiciously and said, "Well, the profession has its drawbacks but it is certainly alluring"; and he spoke in a dignified tone.

I called at his home in the evening, having been invited to dinner, or rather supper. The change of his surroundings was still more startling. Instead of his old home he now occupied a house in a highly respectable neighborhood, with quite a bit of front lawn well kept, and with furniture that spoke eloquently of affluence: massive chairs, a pianola, flowery rugs, and a victrola. The victrola greeted me as I pressed the door-bell. Toner, in shirt sleeves, was pacing up and down the floor, absent-mindedly, while the beautiful notes from "Lucia" were reverberating through the house.

"Welcome to our midst," was the way the former Mrs. Schultz greeted me.

She stepped aside in the glare of two tall electric lamps and the blazing chandelier overhead, with her hands folded over her protruding abdomen, in a manner inviting inspection. She was clearly conscious of her rise in the world. She had grown a little stouter, and the large imitation-pearl earrings in the fat lobes of her ears and the glossy satinet skirt, swishing around her bulky limbs, shrieked prosperity.

"Ain't the Sextette from *Lutzia* beautiful — the Judge loves it so," she said as she led me to the "parlor."

Every few words were punctuated with "the Judge"; and Mike listened to her jabber with the eloquent tolerance of a ne'er-do-well married to a rich woman.

"Tillie!" she replied to my inquiry about her daughter. "Tillie is grand. She married a grand man and they have the grandest house and the grandest baby. So we are all alone here — the Judge and me — and as happy as two birds in a nest — ain't we, Judge?"

She looked at him with the eye of a coquettish old woman who tries to act kittenish.

The Judge blinked and "thought" I must be hungry. She took the hint and presently invited us to the dining room, where the Judge settled at the head of the table with an air of becoming dignity, which, however, fled as soon as the potato pancakes (the bait with which Mrs. Schultz had landed her fish) appeared on the table.

After the meal the Judge offered me a cigar and we returned to the "parlor" while his wife was doing kitchen duty.

"I knew you couldn't make it go," he soon said, referring to my literary efforts. "I tried it myself, years and years ago. Didn't I ever tell you that? Sure, I soared as high as the azure vaults and was carried on the wings of the auroras —" He snickered like his old self. "But once a lawyer always a lawyer; you can't cut loose."

I did not care to enter into any discussion with him about literature. In spite of my defeat it was too sacred a subject for me to have it defiled by Mike's cynicism.

After a space, during which he seemed to ponder, he said, "I think I can get you a pretty good berth if you

could afford to hang around a few months and play politics."

"Play politics!" I exclaimed, with an unconcealed shudder. "I know nothing about politics — I hate it almost as much as the law — and I never did anything along that line beyond casting my vote."

The judge laughed long and loud until a spasm of coughing stopped him.

"You certainly are a queer boy," he finally said, wiping his face with a white handkerchief (he dispensed with his bandanna). "I didn't think they grew boys like you any more" (I recalled he used the same expression when I first met him). "My friend, politics is only diplomacy popularized — diplomacy carried on by the hoi-polloi instead of the high dignitaries of the state — diplomacy played by the masses. It is the same game played for lower stakes."

"But I don't want to play any game that spells compromise, that necessitates duplicity," I cried exasperatedly.

Mike's face suddenly sobered; the dent between his eyebrows deepened; his eyes, though fixed at me, were evidently not seeing me.

"Then the only thing left for you," he spoke deliberately, as if he were pronouncing sentence from the Bench, "is the wilderness of Africa or the jungles in India. There ain't" — he never abandoned this ungrammatical term — "no other place where you can exist without compromise, without duplicity. After you get what you want you may be able to dispense with compromise and duplicity but not before that. Take it from me, you must compromise if you wish to get along in this world. I can get you a place on the legislative ticket if you'll stand for it. The advertising you've got through your



books will help you. And this reminds me of another thing. Don't neglect to take advantage of any opportunity that offers itself to you. You have evidently not made any money from your books but you have made a name for yourself here, so make use of your name. A name is an invaluable asset in politics."

"I am the last man to play politics," I reiterated.

"Get the election then," he persisted, "and gather experience. You need experience. You may know a great deal about books and the *cosmos*" (he winked and, with his hand to his mouth, snickered) "but you know darn little about the world and its people, let me tell you."

Like a capable salesman dwelling upon a peculiar feature of his goods to get the interest of the buyer, Toner suddenly captivated my attention. I saw the possibility of "material" in the legislature. I had seen how enacted laws were carried into effect, why not learn something about the making of laws.

"What would be necessary to secure the election?" I asked — I was not conscious that I was already yielding to compromise.

"Not a thing — not a thing," Toner said absently. He had a habit of talking to one, and very often would deliver the most logical and scholarly analysis of a point of law under discussion, with a staring, absent-minded look in his eyes. "I can get Pat Keegan to have you nominated on the Republican ticket — you are a Republican, ain't you? — and the rest will be easy. You'll sail in with the tide. The Republicans will have a walk-away this year."

"But Keegan won't do anything for me," I said. "You know I have come in contact with him twice, and I believe he hates me as cordially as I hate him. I think him a blackmailer, a hypocrite, a cross between an intriguing

eighteenth century Jesuit and a twentieth century professional Uplifter."

Toner was drawing at his stogie in silence. At first something like a smile began to spread over his dry skin but it abruptly died away.

"Never mind whether Keegan likes you or not. He'll get you nominated if I ask him. He needs me just now and he'll break his neck to do for me anything I ask him. And he hates me as much as he hates you; and this is not less than I despise him. He is a blackguard who'd compromise his mother to further his own interest. He was a Democrat and turned Republican because he had found this a Republican city. He'll flop just as quickly to the other side if it should suit his purpose. And he'll do it in a way to give the people the impression that he has changed his views for altruistic reasons—he'll raise a cry about some reform and, championing that particular brand of reform, will jump the fence quite unnoticed. By hook or crook he has managed to make it appear he is not in politics and yet has been playing politics ever since he struck the city. He is always attacking the chronic office holders—and manages to get the newspapers to air his views—and yet he has been milking the public cow since he was admitted to the Bar. I think he tapped the public treasury even before he was admitted. And he always manages to get an office that pays well and one which doesn't depend upon popular vote. He is always on some commission—building the court house, arbitrating a strike, defending the county in some suit or other by *special appointment*, and always for profit, I know him inside out. It takes an Irishman to understand an Irishman. Keegan is the head type of Irishman—absolutely without heart, without feeling. You see, there are two kinds of Irish-

men, those of the head and those of the heart. Those of the heart have given the world saints, artists, patriots; those of the head have furnished the race with traitors, plagiarists, crooked politicians."

"Then why should I put myself under obligations to him?" I protested.

"You'll not be under obligations to any one," Toner said with emphasis. "Once you are elected you'll serve the public according to the dictates of your own conscience as I have been serving it to the dictates of mine."

Six weeks later I was nominated on the Republican legislative ticket, and the following November I "sailed in with the tide."

### XXXV

BUT I found myself at present in such a blissful state of mind that even the most sordid work would have seemed ideal. Mary's welcome, her absorbing interest in everything I had done and contemplated doing, her helpful suggestions, her belief in my ultimate success assured me that she cared. We were now living in that happy state when words are superfluous. In fact, I do not believe I ever proposed to Mary. Our interest in each other had gradually grown and finally culminated into a common understanding. It was not even necessary for me to make a formal request of Mr. Powers for the hand of his niece. He, too, had eventually taken our love for granted. When we asked him for his blessing—it was late one evening after he had twice checkmated me—he looked at me obliquely, with that peculiar twinkle in his brown eyes, and, waving a finger, said, "You sly rogue, I see why you let yourself be beaten so

easily this evening—you think you can bribe me, do you?"

His tone was serious, albeit his genial smile.

Mary rushed up to him and flung her arms around him and as she kissed him I noticed unshed tears in his eyes. For a moment he held her in his arms, evidently overcome with emotion.

"I want you to be happy," he kept repeating again and again, controlling his tears. Later he added in a melancholy voice, "It must be great happiness to have your love reciprocated."

Now I know that the memory of his own youth, of his unrequited love, of the great sadness buried in his bosom, must have passed through his mind as he looked at our happy faces.

There was nothing else for me to do now but to resume the practice of law as a means for a livelihood. And while I could have secured a position with Powers, Rankin & Douglass (after the Cornhill episode Mr. Powers withdrew from the old firm, having taken with him two junior members) Mary agreed with me that it was best that I steer my boat single handed. Besides, Mr. Powers was no longer very active in the practice of his profession, having recently celebrated his seventy-fifth birthday, and I did not wish to impose upon his associates.

Presently I left for the capital to take up my duties as legislator. It seemed everybody in the capital wanted to make my acquaintance. In the hotel lobby, in the streets, in the corridors of the House of Representatives, there was always somebody asking me to "shake hands" with somebody else. And everybody seemed bent on giving cigars away on first acquaintance. "Have a cigar?" "Oh, you are from Chiquawa County?" "Who is your crowd?" and so forth, and so forth. They not only talked

the same language, but the phrases they used, the slang they repeated, the "stories" they told seemed identical.

I stayed at The Great Western Hotel, which seemed the meeting-place of all the politicians and lawmakers of the State. The large lobby was always crowded with groups, from whom a few would frequently break away, walk to the rear, and retire to the bar. Now and then men in pairs would emerge from the bar-room, pause to exchange a few words, and walk out. Everybody was talking "Bills." There was the "Liquor Bill," the "Anti-liquor Bill," the "Mortgage Bill," the "Compensation Bill," with emissaries hanging around the public places to see that their Bills received proper support.

"Hello, Guy! Good old boy, I haven't planted my eyes on you since you left for parts unknown," Henk burst out as he approached me in the lobby, where I had settled in a corner, apparently scanning a newspaper but really taking in the scene before me.

For a moment I was nonplussed. I never could simulate friendliness when none existed. However, I could not refuse his outstretched hand.

"Well, well, well — they tell me you have made quite a name for yourself since I seen you. More power to your elbow — go to it, kid! And, say, if you want material for books you couldn't have done better than get into this game. If I could handle a pen like you I'd write some books, believe me. What I don't know about them big guys! — Have one?"

He held out a couple of cigars.

"Thanks."

"They are honest-to-goodness Romeo and Juliets," he urged.

I explained to him that I did not smoke cigars and produced my pipe as direct evidence on the subject.

"What are you doing here?" I asked.

"Do you mind my sitting next to you? — you seem so offish," he laughed and pulled a chair nearer mine.

"I'm working ag'in' the compensation bill."

"What's wrong with it?"

"It'll kill our business — that and nothing else"; and he displayed a mouth of gold in place of his decayed teeth.

His candor amused me and I joined in his laughter.

"You see, I am straight goods," he further elucidated, and leaned toward me semi-confidentially. "I come out with the colors. I'd rather be a burglar than a sneak pickpocket — you get me? There is Pat Keegan —" (his eyes turned in the direction of Keegan, who was making his way through the crowd in the lobby in emphatic silence and superciliousness, his hands in the pockets of his fur-lined coat, a fur hat on his bald head, his shifty eyes in search of some one) — "Pat is as big a pickpocket as ever came down the midway. He is here ostensibly in behalf of the Judges to get their salaries raised — acting the benefactor and at the same time making himself strong with the Judges — but he is here entirely for a different purpose. The Judges' salary is a blind. He is trying to kill two birds with one stone. He is lobbying for the Usurer's Bill for the benefit of some of his clients who are in the skin game. Or take for instance Nelson Brooks" (Brooks, a short distance away, was surrounded by a small circle to whom he was evidently telling an amusing story).

"Nelson is a pretty good scout — I ain't saying anything ag'in' him. But he, too, is here on the committee to boost the Judges' bill and at the same time is working for the Mid-Western Railway Company, who wants some act passed. Say, I know the bunch — Psst! Frank!"

Frank Talcott, slick, well dressed, and leisurely drawing at a cigarette, was passing us. He turned around and stopped in front of us.

"You know Guy Stillwell," Henk addressed his chum.

"Indeed, I do," Frank replied and bowed to me circumspectly.

They soon disappeared in opposite directions.

After a space I found myself face to face with Keegan. Although it was he who had secured my nomination, and incidentally my election, I had not spoken to him since my return to the city.

"How do you do, Mr. Stillwell," he greeted me quite cordially. "How do you like your experience in the legislature."

I told him my experience so far had been rather limited.

"They'll broaden by and by"; and he smiled significantly. "The town is full of lobbyists. This lobby practice ought to be stopped. It's a disgrace to this commonwealth. In fact, I have framed a bill, which I expect to have introduced before the House, which will make lobbying impossible. It is not only immoral, tending toward corruption, but it also makes it possible for bodies with unlimited funds to secure passage for their bills while some of the most meritorious legislation is laid on the table. In the past few years I have attempted to secure a few bills effecting civic improvements but for lack of funds they were never acted upon." He produced a fine linen handkerchief and wiped his glasses thoughtfully. "Besides, I really think there are too many laws passed. A law ought to be passed to stop making laws for ten years. Every pin-head elected to the legislature feels it his duty, and his privilege, to father a new law."

"There is at least one pin-head who won't father any

law and who thinks we have too many laws already," I made an attempt at facetiousness.

"Personal company is always excepted," he answered in kind.

He remained talking to me quite a while but never made reference to the "Judges' bill" or to the other spoken of by Henk. His voice was certainly the voice of Jacob.

### XXXVI

AFTER a space the novelty of my new experience had worn off and the "sessions" and the "debates" had become almost unbearable. I could hardly keep pace with the avalanche of "bills" that demanded a vote. In order to vote on them all intelligently I should have devoted at least six months of assiduous study.

The only bill I had studied well was what was known as the Usurer's Bill. Owing to Henk's remark I had procured a copy of the proposed law. On the first reading it sounded innocent enough; it even seemed to aim to save the poor man's homestead; but on further study I discovered its perniciousness. The passage of this act would leave every mortgagor at the mercy of the mortgagee. It provided — among other things which seemed to safeguard the rights of the mortgagor — that instead of a public sale of property foreclosed, any mortgagee, in case of a defaulted mortgage, might pay off all other encumbrances, at his option, and take title to the mortgaged property. It was so ingeniously worded, however, that the casual reader could not detect the hidden purpose behind all the verbiage of the act.

Having thoroughly digested this bill I waited for its presentation. I had also pointed out its harm to a num-



ber of my colleagues, who, I had observed, were endeavoring to do their duty faithfully, and who promised to work against it. But soon a legal holiday intervened, during which a five day recess was taken, and the bill was not yet called for action. I had frequently seen Keegan hover around the State House and around The Great Western, and had spoken to him occasionally, but he never made the faintest allusion to this bill. Moreover, he always harped upon "civic reforms" and suggested we might meet some day in order that "something useful" could be accomplished.

I had no sooner returned to my law office during this recess than a new client appeared. A new client in those days was quite an event to me. His name was Ignatz Beitel. He was short, stocky, heavy of movement, with a fleshy face, thick lips, heavy eyelids, and an oblong, closely cropped skull.

"You was recommended to me," he said as he settled into a chair, "as an honest, able young lawyer." He then moved his chair closer to mine, leaning over my desk and close to my face. "I do an immense business — immense! —" he spoke with a thick lisp and impressively — "and I need a lawyer's services all the time. You see, I am in the mortgage business, and one must be careful with money; money is a delicate article and does slip easily from between your fingers unless you hold on to it mighty tight." He emitted a little laugh in a thick voice as if his mouth were full of food. "If you handle my business well you'll be able to make thousands — yes, thousands!" He smacked his thick lips as he repeated "thousands."

"What can I do for you, Mr. Beitel?"

"Not much just now, Mr. Stillwell — no, not much — though you need not worry about your pay"; and he

again gave a thick-voiced little laugh. "I want you to examine for me this Certificate of Title (producing it) and draw a mortgage for five thousand dollars — not much work, just a trifle this time, but I'll keep you busy all right enough if you handle my business well."

I thanked him and assured him I'd serve him to the best of my ability.

"I am sure you will — I can see it in your face — you are an honest, able young lawyer — indeed, you look it."

"I'll drop in later," he said as he took leave of me.

He called the same day again, at which time I gave him my opinion of the title and also handed him the mortgage. He took the document in his hand, scanned it a while, and murmured, "Very well done — very well, indeed. Yes, sir, if you attend to my business well you'll be able to make thousands — yes, thousands! I have an immense business — immense! I loaned last year over six hundred thousands of dollars — yes, sir, over six hundred thousands of dollars" — he articulated every syllable in his thick lisping voice — "and I expect to do more business this year."

He then turned and glanced around the room as if to make certain we were alone. His short, thick neck, shoulders and arms also turned. His movements suggested to me those of a crawling leech.

"How much do I owe you for these services?" he asked, looking into my face.

I mentioned the amount, which was the usual charge for that sort of work.

"Well, I have taken the liberty of fixing your fees myself," he said, with a smile on his face, as he produced a check for one hundred dollars.

"But I never charge this much for merely examining a certificate of title and drawing a mortgage," I protested.

"But I am always liberal with my lawyer," he insisted. "And as we say in German, one doesn't get poor from taking — hey?" He quoted the German and laughed. "Well, take it, and consider this as part retainer for future business."

He laid the check on the flap of my desk and rose. "By the way," he said, as if the thought had just struck him, without reseating himself. "I may throw your way a good piece of business — yes, sir, what I should call a real good piece of business." (He took his seat again.) "You see, I belong to an association, which is trying to do some good for the poor unfortunate fellows who lag behind on their mortgages — ha! ha!" (he laughed). "My son always tells me I have a heart as big as an ox and that one of these days some poor sucker will take advantage of me. But as I always tell him — 'Jesse,' says I, '*Von gutes kommt nie kein schlechtes*' — do you understand that? Nothing bad ever comes from a good deed. You don't understand German, do you? It's a great help to understand a foreign language or two — a very great help for a young lawyer. Me? I speak Slavish, Polish, Yiddish, German, a little Hungarian, and English. When I came over here from the Old Country I had only seven cents in my pocket — well, I have more than that now — he! he! — O, yes, as I was saying, I might be able to get you a good piece of business. I'll get my association to send you to — " (he mentioned the capital) "while the legislature is in session — "

"But I couldn't act in such a capacity," I interrupted him.

"Why not?" Great surprise appeared on his face.

"Because I am a member of the legislature."

"You are? What do you think of that! I didn't

know you had an Honorable in front of your name." (He laughed at his own cleverness.) "So much the better. You wouldn't have to put in any extra time and get well paid for your work — all velvet, hey?"

"But I could not handle any business which might possibly conflict with my duties," I remonstrated.

"How would it conflict with your duties?" He appeared greatly surprised and somewhat sullen. "A charitable act can never conflict with one's duties, can it? Well, sir, the bill that we should like to present is most beneficial to the poor man. We are trying to eliminate a lot of unnecessary court costs and appraisers' fees and the sheriff's fees, and a thousand other things —"

"You are not referring to the mortgage bill?"

"Yes, that's the one I mean. I didn't know you were in the legislature and wanted you to see the boys when the bill is introduced. I could get you a fee of five thousand dollars — yes, sir, five thousand —"

He paused and looked at me. He evidently was studying my face as to what effect his offer had made on me.

"Any fee is out of the question," I replied, the purpose of his first visit beginning to dawn upon me. "Besides, I am against this bill. It will give the professional usurer a terrible advantage over the poor fellow falling behind in his payments; it would practically take away from him his equity of redemption."

Ignatz had again risen from his chair and was now standing with his head slightly bent forward. He emitted a sort of absent-minded laugh.

"Who has been talking to you?" he finally said. "Someone has filled your head with a lot of nonsense — yes, sir, it's all nonsense" (he pronounced it none-sense)! "Do you think for a moment I'd take advantage of a poor man? he! he! Here" (he fished out a little book

from his pocket) "is a list of donations to charity last year. Here" (turning the leaves of the booklet) — "Ignatz Beitel, five hundred dollars' — you can see it for yourself — and I intend to increase it this year to one thousand — Can you imagine me wanting to cheat a poor man? — none-sense!"

"I was not personal," I made reply with the forbearance due a client, though beginning to feel irritated by his presence. "I was only discussing the possible effect of the law as proposed."

"Think it over," he finally said as if in great haste. "Of course, it has nothing to do with our other business. Only I thought I might be able to throw your way a good piece of business, but if you don't care for it — why," he shrugged his shoulders and lisped thickly, "that's your business."

I now understood Beitel's sudden infatuation for me. His attempt at bribing me naturally aroused in me more antagonism. I finally determined to return to him the check he had given me for my legal services. I realized that to retain his money would be to accept a veiled bribe.

## XXXVII

PRESENTLY I located his office, on the door of which was inscribed,

IGNATZ BEITEL, BANKER.

I pushed the door open impetuously and found myself in a shallow, oblong dark reception room, with oak chairs against the walls, on which were seated several Russian Jews of the artisan class and a few foreigners of other racial extractions. Abjectness was written on every face, the abjectness of the despairing borrower in a usurer's den.

I looked around but the doors of the offices branching off this shallow reception room were closed and there was no one at the stenographer's desk at the end of the room. The thick voice of Ignatz reached me from behind one of the closed doors. His voice was unmistakable.

The voice behind the door was rising to a quarrelling pitch. It sounded like the scraping of rusty iron. His thick tones were screechy.

"You are a robber, a thief, a leech!" sounded above the voice of Ignatz.

"Calling names won't get you nothing — every name you've called me will cost you ten dollars extra — " was the retort.

"You made me give you a mortgage for nine hundred dollars and all the money you have ever given me is four hundred and sixty-one dollars and fifteen cents — do you call that honesty? I'll tell everybody in the city you are a blood-sucker — "

"Ha! — ha! — " came the jeering voice of Ignatz. "I don't care what you tell — they all know I have no charitable institution — I am a money lender and for profit — ha! — ha! They come to me because they can't get the money elsewhere — don't you think I know?"

Presently I rapped on the door from behind which emanated the quarrelling voices.

The door was opened slightly.

"Who is there? Come in," Ignatz called.

I placed myself at the opening of the door. Beitel was seated at a small, faded, roll-top oak desk, with a stub of a pencil in hand, and the man who had opened the door was standing before him. The room was scanty, triangular in shape and its sole window was so

close to an adjacent building that it scarcely shed any light.

Ignatz brought his heavy eyelids together and was straining his eyes in my direction.

"Come in," he called impatiently.

I stepped inside.

"Ah, Mr. Stillwell — I am glad to see you," he said, rising with alacrity. Then he said something in a foreign language to the man who was still standing against the door, fumbling an old cap. The man instantly withdrew.

"Excuse me, Mr. Stillwell." And rushing to the door Ignatz stuck his head out and called "Jesse! — Oh, Jesse!"

At the farthest end to the left of the shallow ante-room a door opened from which emerged a tall young man, with the eyes of a negro, the nose of a squaw, the complexion of a Mongolian, with lips and ears of a Slovak.

"What in hell do you want?" He bellowed, an ugly grimace on his mongrel face. "Can't you see I am busy?"

"I want you to meet Mr. Stillwell — Mr. Stillwell is right here — " responded Ignatz in a hushing voice, darting a look as if to say, "Can't you put on your company manners for a moment?"

The expression on Jesse's face changed with lightning rapidity. The metamorphosis was almost startling. He advanced toward me with a cringing smile spreading over his face and with all the ingratiating humbleness of an Arab begging for *bakshish*.

"How do you do, Mr. Stillwell?" Jesse clasped my hand with whole-hearted cordiality as we entered Ignatz's den. "My father told me a good deal about you, Mr.

Stillwell — He has certainly taken a fancy to you" (laughing blandly, almost benignly), "Mr. Stillwell."

"This is my son," explained Ignatz. "Sit down, Mr. Stillwell, and make yourself at home."

I sat down with some embarrassment. The overwhelming hospitality of the father and son took the sting out of my mission. Instead of flinging the check into Ignatz's face (which was my erstwhile intention) I thought it better to compose myself and explain to him the reason for my declining the pay.

"You see, Mr. Beitel," I commenced haltingly — my innate propensity for telling him what I thought of him was interfering with the flow of my speech — "I came to see you about the talk we had in my office — "

"Haw! — haw! — I knew you'd come around — Jesse, didn't I tell you so?" broke in Ignatz.

Jesse, standing alongside his father's desk, his elbow on top of it, was grinning and chewing a stick of gum audibly and with undisguised relish.

His misinterpretation of the purpose of my call brought back my anger and indignation. I pulled the check out of my pocket and flung it upon his desk. "On second thought," I spoke impulsively, "I decided that I can't keep the check — it's tainted — you wouldn't have paid me it — in fact, you wouldn't have employed me at all — if it weren't for the fact that I am in the legislature."

A look passed between father and son.

"Why, my dear Mr. Stillwell," Ignatz lisped in a voice thicker than usual and with cringing humility, "I can hardly understand you. I came to you as any other client — haw! — haw!" The affectation of his laugh was too palpable. "No wonder you are a writer. You certainly have some imagination — "



I noticed the quick change in Jesse's face. Instead of the winning smile of a moment ago there was threatening grimness on his protruding high cheek bones, and a venomous leer in his negro eyes. Thrusting one hand into his trousers' pocket he swayed to one side and, facing me, said bluntly, "If your price is higher than what Dad offered you name it instead of beating about the bush —"

"Pricel!" I fairly shouted. "You insulting pup — I am no bribe taker if you are a bribe giver."

I was about to leave when Ignatz placed himself against the closed door.

"We don't want to fight here," the voice of Ignatz was beseeching, his eyes addressing his son. "We've made you a proposition and you declined it. Nothing further need be said about it."

"Something further *will* be said about it!" I said, taking hold of the door knob.

"Look here," Jesse said, placing himself in front of me and shaking a threatening finger. "If you squeal you'll find yourself in a fine trap. We can produce the check that you took, dated yesterday — we can show that you have come here to solicit a bribe for getting the mortgage bill passed — put that in your pipe —"

"Shut up!" yelled Ignatz at his son.

"Shut up, yourself," retorted Jesse, the whites and the pupils in his eyes standing out in weird contrast. "Let me handle this affair —"

"Jesse!" screeched Ignatz.

Jesse shoved his father away from the door, and, opening the door, called to the people outside, "You are all witnesses that this man — Stillwell is his name — has been here this morning to solicit a bribe —"

I forget what followed beyond the fact that I soon

found myself outside the building, a throbbing at my temples, a thumping in my breast, perspiration on my face. Jesse's threat did not frighten me but I was trying to collect my thoughts and was determined more than ever to fight the Usurers' Bill.

## XXXVIII

A few days later I was back in the capital. Pat Keegan had been on the same train with me and, I noticed, his attitude toward me was again hostile. The cordiality he showed me several weeks before had disappeared. The leopard had not changed his spots. His shifty gray eyes, with the iris of a cat, had the malevolent coldness of old; his dogfish mouth was closed tightly, with a perceptible twitch in his upper lip.

The next day the "Usurers' Bill" was introduced. I noticed the apparent disinterestedness of the House. Earlier in the day I had caught sight of Keegan and the Speaker, a certain Mr. Flagler, pacing up and down the lobby, and as I came into view they both glanced at me and I felt that I was the subject of their conversation.

I realized that unless I got assistance from some source the bill would be passed. I was not influential enough, nor had I been conspicuous enough, to be able to wage the fight successfully single handed. If I attacked the bill from the floor it would pass unnoticed unless it was accompanied by outside pressure. That much I had learned from watching the passage of other bills which had been opposed by some members of the House. And I also realized that I must act quickly.

After a few moments' thought I decided to see a few

newspaper men. For no matter what might be said against so-called yellow journalism it has frequently brought about results of inestimable value to the public.

So I at once got in touch with the representative of THE CITY DAILY. This young man, Hapgood Hooper by name, interviewed me on my return from abroad and published a very flattering account of me.

I laid the whole matter before Hooper. I frankly told him of my experience with Beitel, of my suspicions about Keegan, and expressed my sincere conviction that the proposed bill was most pernicious.

"All right, I'll help you kill the bill," Hooper said rather enthusiastically, "providing you won't speak of it to any other newspaper man."

Of course I promised and he left me hastily. Half an hour later, during a short recess at the House, I saw Hooper engaged in a conversation with Flagler, the Speaker, who was also from our city. Leaving Flagler I watched the reporter hunt up Keegan in the lobby. The frown on Keegan's face gave me hope.

Under the rules of the House, I knew, no final action could be taken on the bill for a few days and I waited for developments. The next day about noon Hooper rushed up to me with a batch of THE CITY DAILY, and hastened to distribute copies of his paper to the other members of our delegation.

I surmised that the paper contained something about the bill and retired to a corner of the lobby. Spanned across the front page, in heavy large type, was the title of an editorial (the daily often used this method of publicity),

**"KILL THE USURERS' BILL"**

In short, terse sentences it told of the substance of the bill and of its far-reaching effects; it called upon every honest legislator (using italics for these words) to vote against it; and, without mincing words, warned that any legislator voting for it would henceforth be under suspicion and would have to square himself with his constituents. On the lower part of the page was a picture of myself, with a full account of my experience with "a well-known usurer."

Coming back from lunch that afternoon I met Pat Keegan passing through the lobby of the Great Western. He had just handed his room-key to the hotel clerk and, with handbag in hand, was on his way to the station to catch the 2:02 train for our home city. As we crossed each other he gave me a contemptuous look but without a sign of recognition.

### XXXIX

THE defeat of the "Usurers' Bill" and the publicity given me by THE DAILY accomplished more for me than all of my literary efforts combined. The fact that my next book appeared the following spring was merely an incident that recalled to the public mind that I was the same person of whom THE DAILY had spoken so favorably in connection with my activities in the legislature.

I had suddenly found myself a public man. The manager of the local baseball park sent me a free pass for the season; likewise did the managers of two theatres honor me; I was asked to become a member of The City Sociological Society, of which the learned Judge Screech was the moving spirit and its president. The Civic Club,

an organization for the betterment of politics, put me on its executive committee; and even the professional politicians showed me smiling countenances. For the voice of *THE DAILY* had spoken, and, unlike the blind high priest Eli of old, the politicians knew the Voice.

In the middle of that summer, when business was at its lowest ebb and politics at its highest, Hapgood Hooper rushed into my office with glowing enthusiasm on his face.

"Let me have a pipe-full and I'll tell you some good news," he said cheerfully, slapping me on the knee, and helping himself to my tobacco.

Hapgood Hooper, or Hap, as he was best known, had evidently taken a fancy to me. He had brought my name before the public on every possible occasion.

Hooper was a heavy set fellow of about thirty years of age, with a face like the astronomers' photographs of the sun with "spots" on it. It was round and blotchy, with eyes that were not small but looked tiny because of the proximity of his protruding frontal bone and slightly puffed cheeks. No, he was not a thing of beauty — physically — but he had a soul steeped in beauty. Born in Cincinnati of impoverished parents he struggled through the High School (working afternoons and evenings) and since that time had been an itinerant journalist. He had worked, and drank, hard in San Francisco, in New Orleans, in St. Louis, in Chicago, in Detroit, and finally landed in this city.

Here he lived in truly bohemian fashion, but unlike other folks of bohemianism, "Hap" was constant and faithful and genuine. The most refreshing thing about him was his perfect candor. He made friends everywhere and usually with men who were struggling. It did not matter to him who the struggler was. Once his friend succeeded — that is, ceased struggling — his

friendship grew lukewarm. I presume the main reason for his liking me was because he knew of my struggles.

"What's the good news, Hap?"

I asked this rather anxiously because, in spite of my local renown, my legal fees were not coming in plentifully. And though I had no love for the profession I looked up enviously to so many shallow, unscrupulous fellows, who were fast building up lucrative practices. I was still at the stage where I had started: fighting rapacious constables, antagonizing partisan judges, waging polemics for what I considered the rights of my clients; and the longer I practiced in the courts the more cantankerous I had become and the more acrid my bitterness.

Hap lit his pipe leisurely, pushed the door back so it closed with a slam, and said, "I have suggested you for Assistant Prosecuting Attorney in place of Pennypacker, who has just resigned. It might be a good chance for you — for advancement; and incidentally give you new experiences and fresh material for stories."

I straightened in my seat with undisguised eagerness and puffed at my pipe with nervous rapidity. The hope of escaping the drudgery of my practice filled my being with a contagious joy; and the prospect of gaining new experiences in the criminal courts made me restless with expectancy.

"I don't think Ferrett will want me" (Jim Ferrett was the prosecuting attorney), I said, yet hoping against hope.

"I don't think he does want you"; Hap was drawing hard at his pipe and his eyes seemed so small in the deep recesses of his sockets that they were almost invisible. "You are not enough of a politician, and never will be, to have his position strengthened by annexing

you to his office; and you are too straight for him. But I think he is interested in you as an ornament and you might incidentally prove an asset to him in his campaign for re-election this fall. It will flatter his vanity to be able to say, 'Guy Stillwell, the author, is one of my assistants.' I think you can land the job."

Hap then left me without further ado.

The next day my picture appeared in *THE DAILY* over an item saying that I was considered as a successor to Pennypacker. I saw Hap's hand in the wording of this bit of news. He made it appear that *THE DAILY* would favor my appointment.

Two days later Jim Ferrett sent for me and offered me the position, after impressing upon me the honor of being one of his "able assistants."

## XL

I APPROACHED my new work with the eager anticipation, and sense of curiosity, of a book lover who opens a much coveted volume for the first time. It is not morbidness but the lure of mystery that awakens interest in crime; and this lure of mystery even the lawyer can not resist. Besides, as in everything else I did, I saw in my present occupation a field for new experiences, and new experiences meant fresh fuel for my feverish imagination. For the artisan may forget his labors after the day's work is done, and the tradesman his merchandise, but he of the creative faculty, like the galley-slave of old, is chained to his task day and night. Subconsciously the writer or painter is always on the alert for "copy," always seeking to absorb whatever comes into his field of action.

Jim Ferrett, the prosecuting attorney, had blown into

the city and at once broken into the political arena. He was a spectacular chap — tall, lithe, aggressive, conceited, with a receding forehead, and with the eyes of a revivalist seized with a religious spasm. In the days of Byron and Shelley he would have been spoken of as an esthetic youth. He looked anaemic. He declared quite candidly that he was a man of destiny. Nor did he make a secret of his hope that after his present task was done he would take up the affairs of the State and after that the affairs of the nation. And unless my observation deceived me, he trained a lock of his hair to drop with studied looseness over his high brow and stuck a finger and a half between two closed buttons in his cut-away and hoisted his shoulders after the well known pose of The Man of Destiny.

The first look at Ferrett prejudiced me against him. There were the traits of the opportunist too legibly written on his face. I have always preferred erring impulsiveness to calculating righteousness. But my new position gave me hope. At last, I said to myself, I will be rid of cringing to judges, of insinuating flattery to juries, of a thousand and one subterfuges (called skilful trial work) which one must practice in order to guard the interests of one's client. Now I was representing the State, and the State required unadulterated justice. Moreover, having freed myself of business worries, with my evenings, Saturday afternoons, and Sundays devoted to literature what more could mortal ask?

I was, however, somewhat disheartened by the frequent visits of politicians at our offices — the same individuals whom I had seen flutter around the lobby of the State House. They came to "have a word with the Chief." (Jim loved to be called Chief.) Pat Keegan was the most frequent caller. He would come in softly, as if



his soles and heels were made of inflated rubber and he were walking on velvet, with a sphinx-like expression on his smooth shaven face, the cigar between his tightly pressed lips accentuating his outward silence and inner mystery, his speckled grayish eyes turned in the direction of Ferrett's private office. "The Chief in?" The Chief was always in when Keegan called. He passed by me as if I did not exist. Being then a novice in the political game I wondered why Keegan had not prevented my appointment to this office. But the ways of politics are devious indeed.

Shall I ever forget the first day I represented the State? It was on a Saturday morning, which was given to arraignments of, and passing sentence on, prisoners. I arrived early in the court room, having passed through the ill-smelling corridors of the Criminal Court crowded with friends and relatives of the prisoners and with idle curiosity seekers. I had hardly taken my seat at the trial table when a great commotion made me turn around. Six gangs of prisoners, handcuffed in rows of four and followed by the sheriff's deputies, were placed in rows on the opposite side of the trial table. It was a strange gathering and seemed to have come from the four corners of the earth — negroes and Syrians and Greeks and Slovaks and Croatians and Italians. A tall, stalwart negro, with a skin as black and shiny as satin, was flanked on one side by a frail youth, whose hands were as dainty as those of a refined girl, and on the other side by a flat-nosed, sandy-haired Pole. For a bare moment the spectacle overwhelmed me with pity; the sight of chained prisoners jarred upon me. But the unconcern, even levity, on their faces soothed my sensibilities. Some of the prisoners, like notables placed on a platform at a public meeting, evinced conscious pride.

My imagination sought in vain for faces that "told of tragedy." When the prisoners' names were called to answer to the various charges (of burglary, of robbery, of rape, of murder) they rose without the faintest trace of tragedy on their countenances. I had just finished reading Professor Lombroso's treatise on crime, and had read many other theoretical volumes of pseudo-criminologists, who cast a romantic spell on criminal careers, but I only beheld a sordid picture of human passions at the lowest ebb.

My first impression encouraged me. I flung myself into the prosecution of criminals with the zeal, and abandon, of a convert to a new faith. Yes, I see it now. I was even vicious in my prosecutions. I worked with a gripping passion; I was relentless; and I secured convictions. May God forgive me, I even boasted of having won my first one hundred cases straight — without a single acquittal! (The remembrance of this has since caused me many a pain and brought a burning blush to my cheeks.)

Jim Ferrett was pleased with my work. He praised me openly. I was an ideal prosecutor, he flattered me. And since the assignment of cases was in his hands every doubtful case was turned over to me. "Give it to Guy — he'll deliver the goods," I once overheard Ferrett tell his clerk. For Ferrett himself rarely sat at the trial table, unless a case promised sensational developments to which the newspaper would give ample space.

After I had pursued this course for a period of about six months I received a mental shock. It was a little after four o'clock in the afternoon. I had just arrived at my office from the criminal court, where I had procured a conviction after a hard-fought legal battle. Arthur Dustin, one of the other assistants, whose office joined

mine with an open door between us, came in and threw his papers on his desk with evident disgust. Dustin was a most conscientious fellow, and his onerous duties rested heavily upon his shoulders.

Presently Jim Ferrett came in and said, "Dustin, how did you happen to lose the Adams case?"

I slightly turned in my seat and noticed Jim's eyes glowering upon Dustin.

"It was a pretty close case," Dustin began to stammer. "You know we tried it once and the jury disagreed. It stood ten to two for acquittal on the first trial. Perhaps — perhaps the poor devil is innocent —"

"Innocent, hell!" clamored Ferrett. "I have my reasons for landing him. I would not have placed him on trial a second time if I didn't have my reasons. You are too chicken-hearted, and there are too many weak sisters on your juries (Jim referred to tender men as 'weak sisters'). Now find out who the weak sisters are and *can* 'em. The campaign is on our heels and we must make a showing."

With that Ferrett strutted out and slammed the door behind him.

Dustin remained seated at his desk, his face between his hands. I paused and looked in front of me absently.

After a space I walked up to Dustin's desk. He was still in the same forlorn-looking position. I touched his shoulder lightly and, as if startled from sleep, he turned upon me his kindly face. There was mist in his blue eyes and darkness on his pale face. There seemed so much innate humility — almost abjectness — in his countenance that the sight of it pained me.

"You don't mind my intrusion, I hope," I began to stammer, feeling that in spite of our association my act

was unwarranted, "but I've just overheard what passed between you and Ferrett — and it made me think —"

Dustin raised his misty blue eyes to mine, first diffidently and then apprehensively, as if he were studying me, and with a look at the closed door said, "Pull up a chair and sit down." There was a lump in his throat and he paused. The next instant, passing his handkerchief over his moist face, he burst out in a suppressed, almost sobbing, voice, "Oh, I am sick of the whole business — just sick of it."

He rose quickly from his chair and turned his face away from me, remaining in that position for a few silent moments.

I recalled that I had overheard Ferrett reprimand him before, and with this thought in mind I said, "Why don't you give it up?"

"Why don't I?" he replied mechanically, a bitter smile appearing on his face, as he reseated himself in his swivel chair, the springs underneath him creaking as if echoing a groan. "I presume because I am a weakling — a born failure. Yes, I am a failure. I've failed in everything I have ever undertaken. After four hard-working years at college — I worked my way through school — my parents were very poor — I taught school in an Ohio village. After a few years of teaching I grew tired of my job, and being still unmarried I could afford to ditch that job. I then came to this town and took up law — attending a night school — and worked in a book store by day. I don't know why it is that every school teacher who gets tired of his job looks up to the law as a haven of refuge. Besides, I had ideals then — I lived in a fool's paradise" — the same bitter smile reappeared on his lips — "I believed in justice, in equality, in brotherhood — And no sooner did I pass the bar

examination than I got married and gave up my job at the book store. Before long I found that I had made a mistake in giving up my job — law business wasn't coming in fast enough — and — and my first baby arrived. I was up against it. I began to borrow five dollars here, ten there — you see, I wanted to hide my misery from her — my wife — the best girl in the world" (he brushed a tear away) — "I then began to dabble in politics — like Micawber, I hoped something might turn up that way — I had been told that politics helps one in the profession — and I had become a chronic office seeker. By the time I landed this job my third child came — I have the finest three little children in the world — and — well — "

He made a helpless gesture and dropped his head.

"What's really wrong with this job? I asked after a pause.

Something within me was clamoring for discussion.

"I don't know what's wrong with it," he replied, with a shrug of his shoulders, "except that I am not fit for it. I can't seek the conviction of people simply because Ferrett causes the grand jury to bring in an indictment. At first I was put in the grand jury room. I then believed a grand jury was what the books said it was — a body of fifteen men chosen to investigate whether a crime was committed and, if the evidence warranted, bring in an indictment. So I did my part in presenting the evidence and let the jury do its part. But this didn't please the Chief. He called me down and told me I didn't understand my business. 'The grand jury is a mere figure head,' he stormed at me. 'It's you who have to do the indicting, and you must follow my orders.' He then removed me to trial work, but I have had the same trouble — he always cites you as an example — 'If I send a case down I want a conviction,' he bellows."

A few moments of silence followed.

"Don't you think the people we have convicted are guilty?" I put into words the question I had asked myself.

"May be they are and may be they aren't," he answered. "Who can tell? With a scamp like Judge Screech on the bench, and Ferrett, with his nefarious system, at the trial table who can tell? An innocent man might be sent up if the two so choose. Ferrett's political friends are taken care of before their cases reach the grand jury and Screech's friends are paroled after conviction — what chance is there for the innocent?"

At this point we were interrupted. Ferrett came in and noticing us seated close together scowled and, turning to me, said, "Stillwell, from tomorrow on you'll try cases in Judge Screech's room and Dustin will go to Slocum's."

With that he departed and slammed the door after him.

## XLI

FOLLOWING this incident I spent a restless evening and a sleepless night. I had been pursuing my work so blindly, so impetuously, so successfully — believing that I was engaged in the noblest part of the profession — that I had never paused to analyze my actions.

It is true, that after a conviction was obtained, when the prisoner was brought up for sentence with a grief-stricken wife, mother, or sister in the background, my compassion would get the better of me, and many a time I had to turn aside because of the unshed tears that clouded my eyes. Judge Slocum — a kindly, tender-hearted, venerable jurist — had frequently bantered me

about my quick change of heart. "At first you work like hell to secure a conviction," he had said to me, "and then you work like hell to get the poor devil off on a light sentence." But that was only after the conviction, after the fight was over. During the trial — from the very moment the Judge uttered "Proceed with the case," I would feel like a pugilist must feel when he steps into the ring. I had an opponent and must beat him. Punch and blow and strike and scratch and bite — to win at all hazards. I would forget the poor defendant, I would forget all mitigating circumstances, I would forget the misery that the culprit's nearest and dearest must suffer — I would forget everything but the fight. I had to win. If my own life had been at stake I would not have worked with greater ardor, with keener zest. I resorted to every subtle psychological influence I could exert on the jury. I courted the twelve men, I cajoled them, I smiled to them, I flattered them, I watched the expression of their faces, the very turn of their eyelashes, and guarded against every possible sway in favor of the prisoner. Instead of thinking of the human drama, of the terrible ordeal of the unfortunate defendant (as I often did think in contemplation of criminology as an abstract proposition), I was only bent upon proving guilt.

Moreover, I now realized that my literary work had suffered since I entered Ferrett's office. Instead of developing my innate sense for dramatic effects my experiences in the court room robbed me of the illusive imagery which the mystery of crime had always conjured up in my mind. No matter how mysterious the crime it appeared to me bald, barren, devoid of dramatic interest. I was standing too close to the mountain to be inspired by its height. All perspective was lost.

Again and again I dwelt upon what Arthur Dustin had said to me. He had not charged me with injustice but he must have thought me harsh, lacking in tenderness. I rose with a jolt. Had I unconsciously been Ferrett's tool? Had I possibly caused the conviction of the innocent? Had my sense of duty led me astray?

I began to recall every case I had tried. Perhaps — perhaps — my memory raked up the McConnell case. At the time it appeared to me most simple; there was not the least doubt in my mind of his guilt. It was an ordinary case of burglary. McConnell was caught red-handed. Near midnight a policeman spied him crawling out of a second-story window of a fashionable residence. He stopped the porch-climber at the point of his revolver; in fact, he fired his pistol and the bullet penetrated the flesh of McConnell's arm. The servants testified they had locked the doors and bolted the windows; the very window he had climbed through had been bolted by one of the servants. True, it did seem somewhat mysterious because of the fact that no lock had been tampered with; nor was there any mark of violence anywhere, nor was anything belonging to the household found in his possession. However, McConnell had doggedly maintained his innocence though in the midst of the trial he tugged at his lawyer's sleeve and withdrew his plea of not guilty. The judge promptly sentenced him to the penitentiary for twenty years.

I sat up in my bed as if I had suddenly been stung. In the darkness of my room the scene of that trial recurred to me with vividness. I beheld the court room, the judge, the jury, the face of every witness. The case was tried before Judge Screech. I now saw his insolent, domineering face, staring obliquely at McConnell. I saw him beckon to Dan Godfrey (whose house McConnell



was alleged to have burglarized), who walked up to the side of the Bench and held a whispered conversation for a moment or so. Presently, like a shadow appearing in the night, the face of Mrs. Godfrey came into view. I see her at this moment as she appeared in the court room. A woman about thirty years of age, handsomely gowned, with a voluptuous figure and downcast pretty eyes. The glances of the people around her evidently embarrass her. She is rumpling a handkerchief in her hand and at times steals a glance at McConnel, who sits behind his lawyer, immobile, sullen, sorrowful. I now wonder how it happened to have escaped my observation that McConnel's face was not that of a criminal. He had a handsome face, with the appealing intensity in his dark eyes that captivates women, with a pleasing candor in his manner.

The next moment I recalled that I was conscious at the time of something strange about the McConnel case. Why should it haunt me now? I asked myself. I finally decided — just to appease my curiosity and ease my conscience — to pay him a visit in the penitentiary.

## XLII

OWING to my position I had no difficulty in obtaining access to McConnel. The officials at the penitentiary were most courteous and accommodating. The time-honored fiction of a hard-hearted warden and cruel deputies — a fiction that has been even handed down to the photoplay producers — is as unfounded as the notion that every policeman is "burly" and would fabricate evidence to hang some poor devil. I have found policemen more genuinely kindhearted than many of the

would-be reformers, whose bite is even worse than their bark. As soon as I explained to the warden, an Irishman built on a large scale with a heart as big as the rest of his frame, he literally jumped up from his seat with the most jovial expression on his broad face and, clapping me on the shoulder, said, "Go as far as you like, son. We are all at your service. We want no innocent guys here." And pressing a button he summoned a guard to locate my man.

Soon I was closeted with McConnel in the warden's private office. "You need not hurry," the warden reassured me, as he was leaving us alone. "I am going out and won't be back for an hour or more. Good luck to you"; and he winked to me as he clasped my hand.

McConnel did not recognize me at first. When I told him who I was he eyed me suspiciously, studied me a while, and lapsed into silence. He did not seem to have confidence in a Prosecutor.

"What's on your mind, McConnel?" I asked him frankly, divining his suspicions. "I presume you think I have come here to trap you — to make it harder for you."

My tone seemed to arouse a bit of confidence in him. He again looked up timidly, almost shyly, and wrinkled his brow. He was evidently cogitating on some puzzling matter.

"Well," he finally said, dragging his words, "I haven't been given a square deal — the Judge double-crossed me —"

"Tell me all — everything — from the beginning to end," I encouraged him. "If I can't do anything for you whatever you'll tell me will be as secret as if you had not spoken."

He still hesitated and faltered. It was not until after repeated coaxing and persuasion that he proceeded to give me a full account of his case.

"I don't suppose you know that I used to work for Mr. Godfrey," he commenced. "I had a clerical position with Godfrey, Redman & Brewer, stock brokers. Mrs. Godfrey used to come to the office quite frequently, and while pretending a doting interest in her husband would flirt outrageously with some of the younger men in the office — you know, Mr. Godfrey is about twenty-three years older than his wife. Godfrey was as blind as a bat. Husbands are usually the last to find out about their wives' infidelities. One day Mr. Godfrey sent me to his home to have a deed signed by his wife. I was a notary and was to witness her signature. It was about ten o'clock in the morning. When I rang the door bell a servant showed me to a room upstairs. I was rather disconcerted at her appearance. She was seated before a dressing-table, her beautiful black hair loose over her bare shoulders, her kimono wrapped around her so that the outlines of her body were visible in a most seductive manner. I was taken aback for a moment. For — you may believe it or not — I was a very shy boy and never had much to do with women. I do not want to pose as a Joseph but she certainly was a Mrs. Potipher. Well" — he paused a moment, " — she carried on outrageously. I could hardly believe my own eyes and ears. She told me that she had feigned illness that morning as an excuse to have her husband send me up to the house. When I left her that morning I found myself in a quandary. I did not know what to do. I finally decided to forget the incident. But she would not let me forget it. Every time she came to the office she ogled me and in passing made veiled remarks that no one but I could understand.

One evening I received a telephone call asking me to come to Mr. Godfrey's house — that Mr. Godfrey wanted to see me at once. I did not recognize the voice over the telephone. I wondered what he wanted me for. To tell the truth, I trembled from head to foot. A thousand suspicions flashed through my brain. Why should Godfrey want me at eleven o'clock at night?

"To my amazement, Mrs. Godfrey herself opened the door for me and in a whisper asked me to follow her.

"That was a hoax about my husband wanting to see you," she said laughingly. "Mr. Godfrey has just left town and won't be back until the day after tomorrow."

"I won't go into details. She told me a lot of rot about her loving me and about her hatred of Mr. Godfrey. Before I could collect my thoughts I was startled by repeated soft raps on the door. Mrs. Godfrey jumped up, rushed to the door (which I noticed was locked), and then turning to me said in an alarmed voice, 'Mr. Godfrey has returned!' She whispered, 'get out through here,' pointing to a window above the porch roof. I had scarcely stepped out of the window when I noticed a policeman at the foot of the porch.

"I don't know whether Mr. Godfrey had prearranged with one of the servants to trap his wife or Mr. Godfrey's return was a mere coincidence. In order to save Mrs. Godfrey I refused to make any statement to the police, in spite of their repeated attempts at grilling me.

"I was bound over to the grand jury without examination in the police court," he proceeded. "A lawyer was sent to me — to this day I don't know who had sent him to me — and he advised me to waive the preliminary examination.

"The day I was removed to the county jail Mr. Godfrey called on me at my cell. He did not seem angered

at me. He greeted me cordially and said he wanted to talk to me in strict confidence. 'This is a damnable mix-up,' he said. 'I don't want any notoriety. If the newspapers get hold of the truth there'll be hell to pay. I have just seen Judge Screech — he is an old friend of mine — and he said he could fix it. You just plead guilty to burglary and he'll parole you — you see?' 'Burglary!' I said, 'why, I'm not guilty of burglary — I am not guilty of anything except stupidity.'

"'Well, don't you see,' Godfrey came closer to me as if to make it more confidential, 'I told Screech the whole truth. He'll have to do what I tell him. I have got something on Screech — we came from the same town down the state — if I squeal he'll be undone in a day. Then I can quietly file divorce papers — Screech can have it done for me so that no one will know a thing about it — he can hear the divorce case and my wife won't dare open her mouth — you see, it'll save the situation all around. I assure you I'll get you out within three days after you plead guilty.' Then he added, 'You must help me. It'll also save Mrs. Godfrey's reputation.' And he admonished me not to tell my lawyer the true facts in the case.

"I did not know what to do. I realized it was terrible to have my life besmirched with a record of burglary. On the other hand I wanted to save the woman and Mr. Godfrey. Besides, I knew that if I told the truth nobody would believe me. I'd be besmirched either way. I consented to go through with it. However, when I was brought into court and the Judge asked me whether I was guilty I said no. It was just terrible — I couldn't say I was guilty of burglary when I wasn't. The judge stared at me, grew red in the face, and later told the jailer to take me to his private office. 'Look here,' said

Judge Screech to me in a storming tone, 'if you don't plead guilty the jury will find you guilty anyhow. The jury won't have much sympathy with a coward who wouldn't shield a woman's honor. And if you are found guilty by the jury I'll give you the limit—thirty years in the penitentiary. And you'll stay there a long time if I have any influence in the matter.' He, too, warned me not to say a word of this to my lawyer. Well, I changed my plea. When he sentenced me to twenty years I nearly dropped dead. So I was double-crossed, I said to myself as I was led back to my cell. Presently Mr. Godfrey came down to see me. 'Don't worry about your sentence,' he reassured me. 'The Judge explained to me that the newspapers are hot on the judges' trail for giving light sentences to criminals, and the reporters were in the court room watching every case, but he'll parole you in a few days.'

"Nearly a week had passed and I was still in my cell. The turnkey, who took a liking to me, told me one morning that I was to be taken to the penitentiary on the noon train. I was alarmed and the turnkey called Godfrey up for me. He came to me immediately. 'The Judge can't do it just now. The newspapers are still clamoring for severe sentences and condemning paroles, and Judge Screech has just given an interview to the reporters in which he declared himself against paroles—that's politics,' Godfrey explained to me '—and every sentence is watched by the reporters—But we'll get you out as soon as you get to the pen. I'll make it all right with you,' he again assured me, and he handed me several large bills. I refused to take his money. I did not want to serve for a crime of which I wasn't guilty. In the meanwhile noon arrived and, handcuffed with a great number of other prisoners, I was taken to the pen

— and here I am. Nobody has done a thing for me in the five months I have been here.”

If I had read this in a novel I would very likely have stamped the episode as unreal and a bit melodramatic, but facing the facts in real life I was dumfounded and at a loss what to do.

I at once returned home and sent for Mr. Godfrey. Briefly I told him what I had learned.

“It’s an infernal shame,” he said, “but Silas” (referring to Screech) “told me he couldn’t do a thing now. He said I had to apply to the board of pardons, and he would recommended McConnel’s release.”

“How about you and your wife appearing before the board of pardons and laying the true facts before them,” I suggested, looking squarely at Godfrey.

“My God!” he moaned. “Then the whole thing would come out. The board of pardons would never keep it secret. It would leak out and the newspapers would get hold of it.”

“But you don’t want an innocent man to serve a term just to save you disgrace — do you?”

“I’ll pay him for it — I’ll pay him as much as he’d ask — anything —” he struck in almost tearfully.

I explained to him that McConnel didn’t want his money. He wanted his freedom.

“If we lay the true facts before the board what will happen to our divorce?” he asked me helplessly. “You see, we had arranged that she file a petition for divorce against me on the ground of incompatibility and some other minor charge, which I didn’t deny, and Judge Screech granted the divorce about two months ago — wouldn’t that nullify my divorce?”

“That’s your business — and Judge Screech’s,” I said. “All I am interested in is the immediate release of McConnel.”

He left me and said he would advise me the next day as to what steps he would take,

When I appeared at the trial table next day Judge Screech glowered at me. He looked scared but defiant. Not a word passed between us. I could see from his excitement that Godfrey had reported to him the substance of our conversation.

After a lapse of ten days I received word from McConnel that he had been released. The letter was mailed at some place on the Pacific coast. He thanked me profusely for my kind services but without enlightening me as to the means by which he had obtained his release, nor did he say a word about his destination. He only appeared on the surface for a moment to be again swallowed by the rushing waves of time. I have never heard from him since.

Upon the receipt of McConnel's letter I made further investigation of the disposal of his case. I learned that Judge Screech had appeared in person before the board of pardons and explained that he had just discovered new evidence that convinced him beyond a shadow of a doubt that McConnel had been merely paying attention to one of Mr. Godfrey's maids and that he had pleaded guilty through pure chivalry in order to shield his sweetheart.

### KLIII

HONEST talk, like honest labor, never fails to bring results. It was really Arthur Dustin's heart-to-heart talk with me that afternoon that had set me thinking along a line which resulted in the release of an innocent man and made me realize that my duties were not what I had supposed them to be. The conviction of the



criminal is the least important of the prosecutor's duties. It is the sifting — the process of separating the sheep from the goats — that matters most; and the sifting without regard to "influence," political or otherwise.

I realized that while Ferrett was a most efficient prosecutor his mistaken duty, or rather the ambition that blinded him to his real duty, made him wholly unfit for the position he held. He had liked me because I had followed his policy of vigorous prosecution but now, since I had begun to investigate every case assigned to me, he began to grumble about my "romantic idealism." Screech's hostile attitude toward me helped to widen the breach between me and Ferrett. For while Ferrett detested Screech no less than I did he was diplomatic, and had an eye for expediency, qualities which I altogether lacked and could never acquire.

"Stillwell," Ferrett addressed me brusquely one morning, "what's going on between you and Screech?"

"Nothing," I replied, "except that he is an old black-guard and he knows that I know it."

Ferrett laughed. My brief characterization of this hypocritical jurist evidently pleased him. Ferrett instantly softened. He took a seat next to mine and, lighting a cigarette, said, "You may be entirely right about Screech. In fact, I share your views — but he is on the bench and has the power to make it unpleasant for you. You see, he has advertised himself so well that the people at large regard him as a great judge. Look out for him. He'll stop at nothing to hurt you. He would crucify his best friend to gain a little more publicity, and if he could pull you down by hook or crook and thereby gain publicity he'd not rest until he had accomplished it. I'm saying this for your own good, Guy."

Shortly after this talk I noticed Pat Keegan coming out of Ferrett's private office. Keegan gave me a side glance, his upper lip curling a bit.

After a brief space Ferrett summoned me to his private office. He was seated at his desk, his eyes half downcast, half turned away from me.

"Close the door," he said to me, with noticeable embarrassment.

I closed the door and sat down.

"I was turning over in my head," he presently spoke slowly, with evident deliberation, his eyes still turned away from me as if he were ashamed to face me, "your frequent controversies with Judge Screech. You are perhaps a bit too hasty. I thought it would be best for all concerned that you take charge of the Grand Jury work and one of the other assistants will take your place at the trial table."

He paused as if to give emphasis to his words and I felt the humiliation too keenly to make any response. (The work before the Grand Jury was usually handled by the least competent of the assistants.)

After a moment of embarrassing silence he resumed haltingly, "I'm not saying it's your fault but you don't seem to — a — you don't seem to be able to sail along with the current —" he emitted a little forced laugh — "you seem to prefer to go against the current — you'll never get along in public life that way."

"I don't care for public life," I said in a tone of a peevish child, the jumble of thoughts in my brain checking my speech.

Ferrett continued looking away from me in silence so I rose to leave.

## XLIV

My first impulse on leaving Ferrett was to hand in my resignation. But on my way back to my office I ran into Dustin. I had always found him a tonic whenever I was out of sorts. Instead of souring him his many disappointments had sweetened his temper and mellowed his outlook upon life. He seemed resigned to his fate. He had formulated a philosophy of life and lived accordingly.

"What calamity has befallen you now!" he bantered me, looking at me with mock gravity. "Struck another snag?"

I had frequently talked to him about my literary plans and reported to him from time to time of the progress of the story on which I was then engaged. The day before I complained of my temporary inability to extricate my chief character from a certain situation.

"No, this time it is not literature but life, I am going to resign."

His mock gravity instantly changed to sincere concern. He closed the door and I told of what had happened to me.

"So you have just discovered that life doesn't run smoothly for one who sails against the current" (I had repeated to him Ferrett's expression). "Poor, poor boy!" and he laughed sympathetically. "As a writer you should have known this long ago. But why resign? Why not get more experience? Believe me, you'll get plenty of experience in the Grand Jury room — it's like a peep behind the scenery. I spent one term with the Grand Jury. You'll see some wonderful wire pulling — over your head."

While I was never what might be termed fickle I had always been easily susceptible to the influence of those I admired or loved. Dustin's advice dispersed the cloud of hopelessness that had shrouded me and I beheld a bright, alluring light. I at once realized that my experience had been confined to the court room and a peep behind the scenery, as Dustin expressed it, might not be without benefit and interest. Besides, Mary and I had just then decided to announce our betrothal and I could ill afford to follow Dustin's example and marry with no certain source of livelihood in view.

So all the circumstances then lent weight to Dustin's argument. I reconsidered my resignation and took up the work before the Grand Jury.

## XLV

THIS august body met in the ill-smelling, dust-covered, sombre looking attic of the building known as The Criminal Court. The room was spacious and irregular in shape, showing the bend in the roof on one side and wheels of spider web along the ceiling on the other side. In the center stood a long, rectangular table, surrounded by the chosen fifteen, one of whom, the foreman, sat at the head. During that term of court the foreman was a pensioned policeman who sincerely believed every person guilty of some indictable crime. The rest of these crime investigators were drawn from all walks of life that led from political headquarters, though (theoretically) blind chance governed the choice of grand jurors.

There were quite a galaxy of personages in that group. One was a former blacksmith, about eighty years old, blind in one eye and deaf in both ears. He found his high-backed chair a comfortable place to doze while

the grave business of crime fixing was carried on. When an indictment was being voted on his neighbor juror would nudge him and he would stir slightly — he did not have sufficient vigor to get startled — and mumble “Yes” or “No” as the exigency demanded. This exigency was indicated by the foreman, whose lips the poor old blacksmith watched very carefully.

Then there was a retired hack driver, whose son, I soon learned, was a Power in the Eighth Ward. His throat was surrounded by a swelling goitre that prevented him from leaning forward and having reached senility he was evidently considered good timber for this responsible position. He never voted without a puzzled stare around him to catch the drift of the ballot.

The rural districts had not been overlooked in choosing the fifteen. There were two farmers, crippled with rheumatism and bleary eyed; a village constable and a Justice of the Peace whose onerous duties permitted them to get into the city every morning.

Besides those there was a veteran of the Civil War who had served as janitor in the court house for forty years, and though scarcely able to walk had enough political strength to hold this job; the father-in-law of a ward heeler, a pitiful spectacle on crutches; a man, whose beard was once red and now streaked with white, boasted intimacy with several leaders of national politics. (He confided in me on our first acquaintance — “I bribed many a legislator in my days for them big guys — he! he! he!” laughing in a squeaky voice, his distorted mouth and left eye looking sideways.)

At first my work was disappointing. I had anticipated “wire pulling” that did not materialise. Nothing happened but the return of indictments against burglars and robbers and pickpockets. True, quite a number of people

tried to make my acquaintance, offering me cigars and fulsome flattery, but that did not seem strange in view of my past few years' experiences.

One winter morning Hap Hooper came into my office just as I was about to start for the grand jury room. Hap's bulging cheeks were a bit flushed and he was drawing at his cigarette rather nervously. He seemed sulky and suspicious.

"Close the door — I want to talk to you," he said to me with evident irritability.

I closed the door and wondered what this was all about.

"You know what I think of you, Stillwell," he resumed, dodging my eye. "I have always thought of you as a high-minded, fearless fellow with no axe to grind except to do what seemed right to you —"

"Well, have you found me wanting?"

"I don't know — I don't know —" he was jerkily drawing at his cigarette and spitting imperceptible bits of tobacco — "the city editor tells me something awful has been pulled off before the grand jury and told me to find out all I can about this — you see, I didn't know you had been in the grand jury room this past month. When I learned that you had charge of the grand jury I went back to Kelly — he is the city editor — and told him there was nothing doing — 'you can't pull anything off with that boy around,' says I. Well, he opened my eyes —"

Hap was looking away from me. He evidently suspected me of something so degrading that he could not face me.

"Well, what did you find?" I asked smilingly.

"I've found that something rotten was pulled off — Kelly thinks you did it —"

"I did what? Explain yourself." I was still in a jesting frame of mind.

"You know — I don't think you want my explanation." Hap was growing sulkier still.

It began to dawn upon me that there was something in his mind of which I had not the least inkling.

"Look here, Hap," I said to him bluntly, growing a bit irascible at his suspicions of me. "Look me straight in the eye. How long have you known me? Yes, a little more than two years. You have knocked about the world and you know something of human nature. Do you believe me capable of committing a dishonorable act consciously? Now, don't evade my eye, tell me the absolute truth."

He flung the end of his cigarette away and while lighting another said, "No, I never thought a man of your impulsiveness and sincerity could be dishonest."

"Well, Hap, people don't change over night. Honest men, like poets, are born, not made; you can neither make or unmake an honest or dishonest man. Now be plain and don't mince words."

He looked up at me with unconcealed relief. "How does it happen that Douglas Norville was not indicted?"

"Douglas Norville! The lawyer? What about him? I never knew there was even a charge against him," I said innocently enough.

"You didn't!" And Hap stared at me, his sunken eyes directed squarely at mine searchingly.

"That — damned liar!" he burst out a volley of vile oaths. "I am just coming from Ferrett and he told me that you had handled the matter and that you had told him that there wasn't enough evidence to indict —"

"I have not the faintest knowledge of any charge against Norville," I owned, "and I beg you to tell me all that you know."

"You remember the Usurers' Bill which I helped you

kill two years ago?" he proceeded. "They were at it again this winter, but they did it so skilfully, so surreptitiously that I did not learn of it until it had passed the lower House. I then got busy. To be honest with you, it wasn't so much the bill as the manner in which this was accomplished. The editor's vanity was wounded. They pulled one over on us. Mr. Craig — he is now at the head of THE DAILY — called me in and told me to spare no expense and delve into this. I called in the Pinkertons and a few private detectives and we found the goods on Douglas Norville. On a certain day he drew one hundred thousand dollars in cash from a local bank, packed the money in a suitcase and carried the suitcase in his own hand to The Great Western. We furnished Ferrett the evidence. Ferrett promised he would take the matter up immediately and even interrogated all the witnesses and examined the bank's records, which showed who had paid the money to Norville. Everything was done so quietly that outside of a few men in our office and the detectives and Ferrett there wasn't a soul who had the least inkling of what we were about. We were going to spring a surprise and, if possible, trap the whole bunch. Ferrett seemed enthusiastic. But on the night following our conference with Ferrett, Douglas Norville left town — we called up his office and learned he had gone out of town on business. We immediately suspected a leak and had him shadowed in Montreal, where he was staying, having purchased a steamship ticket for Liverpool. He was waiting. Day before yesterday Norville received a telegram. It was in a code and we couldn't learn of the contents of that wire. But he immediately cancelled his voyage passage and returned to the city. I then rushed up to Ferrett. He told me very calmly that you had handled the case and that no bill was returned."



Hap raised his eyes and looked at me quite candidly. I could see he believed in my innocence.

I left him for a moment and went up to the grand jury room. The fifteen had not yet convened and I found the Clerk making entries in the docket. The entry was before my eyes: "State v. Douglas Norville, No Bill."

"When was this case called before the grand jury?" I demanded of the clerk.

He lifted his eyebrows, looked at the page on which the Norville entry appeared, and whistled wistfully.

"I don't remember," he finally replied with a vacant glance at me and a shrug of his shoulders.

"This case wasn't called while I was here, and no one else has presented evidence before the grand jury in the past few weeks," I began to argue.

"Ask Mr. Ferrett — perhaps he can enlighten you," he rejoined, continuing to whistle as wistfully as before.

I recalled Dustin's remark about "wire pulling," and grew still more wrought up.

When I returned to my office I found Hap still seated in the chair I had left him in, drawing at his cigarette and making notes on loose sheets of paper.

"So Ferrett is trying to make you the goat," snapped Hap, glancing up at me. "Just like him. Politician first and last. Is trying to square himself with THE DAILY and at the same time save the gang."

I paused a moment, thinking.

"I still can present this case before the grand jury," I said to him, "if you'll furnish the evidence."

"How can you? — the docket shows that the grand jury returned no bill."

"That wouldn't prevent me from presenting it again," I enlightened him.

"Can it be done without consulting Ferrett?" he asked.

"Why, of course, I present before the grand jury any evidence that seems warranted for its consideration."

"Great stuff!" And he literally jumped up from his chair.

At two o'clock that afternoon I presented the evidence furnished me by Hap Hooper, and before the grand jury had fully realized that I was asking for an indictment against Douglas Norville — one of the leading politicians in the city — a vote was taken and a "true bill" returned.

I had no sooner entered my office than Ferrett dashed in, with blanched face, a copy of *THE DAILY* trembling in his hand.

"What does that mean?" he demanded, glowering at me and slapping the paper in his hand.

I glanced at the paper. It told that an indictment had been returned against one of the leading politicians in the city and insinuated that in spite of attempts to stifle prosecution the energetic Assistant Prosecutor (mentioning my name) presented the evidence before the grand jury.

"Did you know that I had refused to act in this matter?" He continued staring at me.

"I did not know of it until this morning," I replied without flinching. "There is no reason why this matter should be stifled. The evidence seems conclusive."

"Who is running this office, you or I?" he demanded.

"You have placed me in charge of the grand jury — I, too, have a duty to perform," I retorted.

"I shall have this indictment nolle at once," he said and slammed the door after him.

Ferrett had scarcely left my presence when Arthur Dustin came in, a bland smile on his kindly face.

"No explanations necessary," he said, both of his hands raised as if confronted by a hold-up man. "I know

all that has happened. I am sorry to tell you, however, that the indictment won't stand. The bribe was not offered in this county."

"But one of the legislators was paid five hundred dollars in this city," I argued triumphantly, "and the man has turned State's evidence, Hap tells me."

"He was going to last week when he thought Ferrett was going to have him indicted. He has since changed his mind," said Dustin with an ironic smile on his face.

That afternoon the indictment was dismissed by Judge Screech at the request of Ferrett.

As for myself, I did not wait for a formal dismissal. In the language of *THE DAILY*, I resigned to take up the general practice of law.

## XLVI

PROFESSIONALLY I now found myself in a more deplorable predicament than when I had first arrived here. Then, though unknown, I was imbued with the enthusiasm of faith; hope sang to me in its sweetest tunes. My profession then stood for something spiritual; to me, at least, it meant an ideal. Today law meant a venal calling, a jugglery, by which one was obliged to earn a livelihood. That and nothing else. The halo whose dazzling light lures so many to this or that career had vanished. I worshipped a Christ without divinity.

Besides, then I could have abandoned my newly acquired profession without hazard, but now I was looking forward to my union with Mary. And to make matters worse I could not explain my position to her. Mary, in all her innocence of the sordid side of life (except such

as she had gathered from Russian and French novels), entertained lofty ideas about my vocation. Was not John Powers her uncle?

Moreover, my chance for material success had not increased. For while I had become well known in the city my acquaintances were not such (as Virgil Tinker had warned me years before) as would help a lawyer to acquire a lucrative practice. My social friends frankly regarded me as an idealist and dreamer (and who has ever had confidence in the acumen of the literary?) and the acquaintances I had made in my public life no longer looked upon me with favor. A public office holder at the expiration of his incumbency, like a popular novel past its vogue, is nothing but the memory of a name. Those who had obsequiously bowed to me, and flattered and cringed, passed me with a casual "Hello" the day after my "resignation." And no sincere, honest office holder — be he the chief executive of the nation or a village constable — can ever make lasting friends while in office unless he be willing to compromise with expediency. Then, again, I must own, that aside from the enemies I had made in my mad pursuit of the legal rights I had championed — and my enemies were not a few and quite powerful — my bluntness, my impetuosity, my innate candor antagonized even those I could have counted as friends. If in no other respects, I resembled Whistler in "the gentle art of making enemies." And that, I declare, is no negligible art.

My present difficulties were twofold. Besides the natural difficulty of building up a paying practice I encountered antagonism in the courts. Unlike jurors, who have a keen admiration for a fighting lawyer, judges detest him, unless he be a political factor in the community. Whatever political prestige I had gained in

public office, I had forfeited. My treason against Douglas Norville meant disloyalty to my party. Politically I was dead, and everybody knew this. So, as a result of this, the court attachés, who are rewarded petty politicians, were hostile to me. Now, more than ever, I was compelled to fight every inch of my way.

However, my eagerness to succeed and provide for the woman I loved kept up my courage. Distasteful as the daily wrangles in the courts had become to me, and much as I despised the machinery of the law, I fought and scratched and backbit with a ferociousness and passion that onlookers mistook for love of the profession. I overheard some one say, "Guy Stillwell would rather fight than eat"!

Before long I had become a busy lawyer, if not a prosperous one. I had become a poor man's lawyer. It seems to me that every poor devil who had a grievance came to my office demanding justice. (The poor always clamor for "justice" the loudest.) Every usurer's victim, every outraged wife, every culprit of extortion was at my office door. I flung myself into their claims with an abandon that was worthy of a better cause. As the saying goes, I burned the candle at both ends. My passion for literature gave me no rest at night and my poor clients were after me all day. For I had acquired a reputation as a fighter for "the principle of the thing."

## XLVII

ONE afternoon a man stalked into my office with a dazed look on his face. In his clenched fists were crumpled sheets of paper.

"Here is the evidence," he burst out in a raucous voice

of foreign speech, holding forth the papers in his hands. "If you'll take my case and go after 'em hard you'll send 'em to the penitentiary — the whole bunch of them — those leeches, those bloodsucking monsters — they robbed me of everything — of everything — of everything I have saved up in the past five years!"

The man was foaming at his mouth, beads of perspiration rolling down his swarthy face. How shall I describe this man? If you have ever seen Jack Barrymore in the last act of "Redemption" you might be able to visualize his appearance. He was a trifle above medium height, with slouching shoulders, with deep-set eyes that never stood still and hands that twitched perceptibly, with a week's growth of beard — reddish brown and bristly — and a forehead low and broad, with an horizontal crease in the middle. His clothes seemed like castoff garments picked up at random. He was dirty. Everything about him was dirty. His clothes, his face, his hands, even the whites of his eyes seemed unclean. What struck me particularly about him were his finger nails. They were black and resembled the claws of a bird of prey.

I see his true image now, distance affording me the right perspective. At the time I only saw a shabby, grief-stricken man — a poor man in trouble.

I asked him to take a seat. He dropped into one, and was about to say something, but, as if unable to check his emotions, burst into a fit of hysterical sobbing. He finally calmed himself, fished out a cigarette from one of his pockets, his hands trembling and twitching as he scratched a match to light it.

"What's your trouble?" I asked sympathetically, taking in the mark of a bullet wound on the left side of his chin.

"I must tell you everything from the beginning," he said, gulping down the cigarette smoke audibly, as if he had swallowed too big a mouthful of water, and soon emitted two ribbons of vapor from his nostrils. "Do you know Ignatz Beitel?"

I acknowledged a distant acquaintance and my curiosity was still more aroused.

"Well, sir, Ignatz and me are *landsleute* — we came from the same town — it's a small place on the frontier between Austria and Russia-Poland. Ignatz was a smuggler and I worked for him. I had worked for him for some years when the custom-house official changed. Ignatz called us together — there were several of us working for him — and said the new official was a very bad man. He would accept no bribes. So he had arranged with the soldiers guarding the frontier to let our wagons pass after midnight. We did our work then unmolested for some time when the official must have discovered our scheme and placed new guards without our knowledge. One dark night — it was a bitter cold winter night, with grains of fine snow in the air — as I was going across the border, following a sleigh load of silks and cashmere, the soldiers began to fire. A bullet struck me here" (he pointed to the left side of his chin). "I must have fainted, for when I opened my eyes I found myself in jail. Later in the day my wife came to see me and told me that Ignatz had been to see her and said if I kept my mouth shut he'd get me out and pay me well for my trouble. But instead of getting me out Ignatz skipped and I was sent up for five years at hard labor.

"After I had served my time I came to this country. I wandered from New York to Boston, then to Philadelphia and Baltimore and Cincinnati, doing all sorts

of menial work and finally drifted to this city. That was about eleven years ago. One day I met Ignatz on the street. He looked fat and prosperous. When I asked him to help me — for I was without a job and my family had increased to six — he laughed and said, 'We are in America now, not in Bobsczina' — the town we came from. I reminded him that I had served time for him but he only laughed — Ignatz always laughs when he robs one. Finally he said, 'I'll do something for you if you'll do the right thing.' 'What is the right thing?' says I. 'You'll find out,' says he.

"Well, to make a long story short, I went to work for him. He was then in the jobbing business — buying up bankruptcy stocks and fire-sales and things like that. One day he came to me and said, 'How would you like to start in business for yourself?' I told him he knew I had no money. 'I'll put the money up,' he said. 'I've started many people in business and made them rich.' So he opened a store for me in Unionville, a small town in the northern part of the State, and goods came to me from all parts of the country and as soon as the goods came Ignatz removed them, leaving me just enough to run a village general store. At the end of a year I was in debt about twenty-nine thousand dollars with four hundred dollars' worth of assets. I didn't care, for Ignatz was paying me fifty dollars a week. One day Ignatz came and said we were in a bad fix. The creditors were after us. He then took me to his lawyer, Keegan. After a long talk between Keegan and Ignatz, the lawyer told me to sign a lot of papers and notes, and Ignatz told me I had been thrown into bankruptcy. I didn't care what he did, for he never stopped paying me the fifty dollars a week. When the bankruptcy business was over Ignatz told me that he was again going to start me in



business. This time in this city. 'But you must change your name first,' he said. 'It's best to have an American name.' So his lawyer took me to the Probate Court and had my name changed to Fairchild — my name now is Carl Fairchild, formerly my name was Schönkind, which is the German for Fairchild.

"When he started me in business under the name of Fairchild I protested. I knew that it would get us into trouble with the Fairchild Dry Goods Company — an old established concern here — but Ignatz gave one of his little thick laughs and said, 'Nonsense! They can't stop you from using your own name.' Goods again began to come by the carloads. You see, in ordering goods Ignatz made it appear that he was ordering for The Fairchild Dry Goods Company, whose credit was unlimited. Before the creditors had caught on to the scheme Ignatz had converted more than seventy-five thousand dollars worth of goods into cash and having had me sign notes and mortgages in his favor, he again threw me into bankruptcy. But the creditors got suspicious and soon the United States authorities got busy. Ignatz came to my home one night, pale as a ghost, his teeth chattering, rubbing his hands with fright. He told me that the Government was on his trail. 'Uncle Sam is a bad customer,' he said. I listened to him in silence. 'You can help me out,' he finally said. 'You mean by going to jail for you again?' says I. 'No, siree, Bob,' says I. 'This time carry your own load.' He then assured me that he could pull me through if I protected him. 'You see,' he persuaded me, 'they won't be able to do anything to you because you did nothing criminal — it was I who swore to your involuntary petition in bankruptcy — and all you have to do is simply to keep still about my removing the goods from the store — you un-

derstand?' says he. 'And what will I get out of it?' says I. 'Five hundred,' says he. 'Not on your life,' says I. 'Five thousand or nothing.' Well, he paid the five thousand and while he was arrested, and stayed in jail for a short while, Keegan fixed it up and he came out all right, but he then quit the jobbing business and opened a money loaning office.

"One day he sent for me and said, 'Carl, if you want to use your brains I can give you a chance to make lots of money — lots and lots of money,' he said. 'I'll set you up in the building game.' 'In the building game,' says I, 'what do I know about building?' 'You don't have to know nothing,' says he. 'I'll show you how.' He then gave me deeds to a number of vacant lots and took me over to a building-and-loan company who made me construction loans. He got for me big loans; in some cases the loans were more than the cost of the houses. The head clerk of that building and loan company — the fellow who made the appraisals and approved the loans — was quietly paid a handsome bonus by Ignatz for making those big loans. In two years I built so many houses — for the houses were all in my name — and Ignatz pulled out so much money that I never knew where I stood. Before one set of houses was finished I started new ones and everybody regarded me as a great builder. I did hundreds of thousands of dollars worth of business. But there is an end to all things. There was a slump in building and the material men began to press me. I owed them nearly three hundred thousand dollars. I then found out that I had been only holding the cow by the horns while Ignatz was milking her. He got second mortgages on all the houses I had built — although he never put a nickel in any of them — and when the crash came he foreclosed on all the houses, and the

material people got stung. For Ignatz and Keegan worked together and froze out everybody — even me. For the five thousand dollars Ignatz had given me had also gone into the houses.

"I was again thrown into bankruptcy. They examined and cross-examined me in bankruptcy court, demanding where my money had gone. When I told him I hadn't a cent to my name — umph — " (he lapsed into sobbing) "yesterday I had to borrow two dollars to buy a pair of shoes for my youngest and this morning I sneaked out of the house before my wife got up — I can't face my poor wife — I can't — I haven't a cent for groceries — " His voice, growing thicker and thicker and streaked with tears, finally broke. He curled up in his seat and sobbed like a hysterical woman.

I waited in silence. His narrative was a tale of adventure to me. For I had never come in contact with this phase of life, and the unfolding of his story afforded me a peep into the intricacies of the mercantile sewer, as it were. To me Carl Fairchild was just a sewer rat, who had come into being through Ignatz's filthy channel. I loathed the rat, yet when I saw him drowning my compassion was aroused. There is something in human sympathy that arouses pity even for a drowning rat.

"I swear to them by the lives of my wife and children that I have nothing left and they wouldn't believe me," he presently proceeded. "They think I have tens of thousands hidden away. And Ignatz and his son sit in the bankruptcy court together with all the creditors and act as if they, too, were innocent victims. Mr. Stillwell," he burst out beseechingly, "I know I have been nothing but a swindler and a crook, but I have been what Ignatz has made me. And now when I ask him for an accounting he gives me these papers, telling me that I still owe

him thousands of dollars, though he promised me that he'd return to me the five thousand dollars I had first put into the buildings."

"Did you tell Beitel that you'd go to law?" I asked.

"I did, but he only laughed and said he had several judgments against me and a desk full of affidavits sworn to by me, and if I go to court he'd send me to the penitentiary. I really don't know what I have signed. Whenever he asked me to sign papers I signed them. Now, I want you to help me, Mr. Stillwell. Many people sent me to you. Ignatz buys the lawyers, I am told, but they say he can't buy you."

I told him to leave his papers with me that he could call in a few days.

## XLVIII

I SHALL not go into detail about my proceedings against Ignatz. Following the clues furnished me by Fairchild I had no difficulty in bringing to the surface all the frauds that usurer had committed. Before long I had the evidence in my possession, and carried it from prosecutor to prosecutor but without avail. Pat Keegan, whose client had learned of my activities, forestalled me everywhere. I realized that I was helpless against Keegan's political influence.

One day Carl rushed into my office with the exuberance of a great victory. I hardly knew him at first. He was shaved, attired in a new suit of clothes (the price mark still pinned to the skirt of his coat), a clean collar around his neck, and a pair of new shoes on his feet. I noticed even his handkerchief was new. Besides, instead

of the whining, sobbing, tremulous wretch I had known there stood before me an individual glowing with triumph, the arrogance of success written on his countenance.

"What fortune has befallen you?" I asked, staring at him.

He produced a box of costly cigarettes, holding the box for me to get one — "You may take one — it's good cigarettes — ought to be — five cents apiece —" He then lit one and settled in a chair close to mine with an air of surfeited prosperity, as if to say, "The other day I was an indigent client, today I am ready to pay well for your services."

Finally he said, "I am in business with a partner and we have made lots of money, but Ignatz is after me."

I told him I could not see what harm Ignatz could do him. "He is bothering my partner. You see, we are doing business in my partner's name," he explained.

I was soon again in court fighting Fairchild's battles, foolishly believing that one can reform a dishonest man. People of my temperament never outlive their boyish enthusiasm; not even when the flesh begins to shrivel and the bones grow rigid. I was one of those enthusiasts who subscribed to the theory of environment. Sociologists of this trend of thought had found in me a faithful disciple. It is only recently that I changed my mind, and reached the conclusion that scamps rarely, if ever, reform. They may change their appearance, but once a scamp always a scamp.

While I was in the midst of one of Beitel's lawsuits against Fairchild my journalist friend, Hap, rushed into my office, closed the door of my private room, with a troubled look on his face.

"I think they have trapped you — you had better look out," he said.

I stared at him nonplussed. I did not grasp his meaning.

"I mean Keegan and his bunch," he continued sorrowfully. "They had bought Fairchild and purposely made him hire you to defend him against these judgments and now have him testify against you."

I still did not fathom him.

"What of it?" I asked.

"You see, they can prove that although you knew Fairchild owned a part of his partner's assets you defended and shielded him and prevented the satisfaction of Beitel's judgment."

He paused as if to let the seriousness of it penetrate my mind. After a moment's thought I realized that the fact that lawyers are daily instrumental in shielding fraudulent debtors against the honest claims of creditors did not make the act right. In my zeal I followed the old jesuitic doctrine that the end justifies the means.

"Keegan and his crowd will make capital of this," Hap soon continued. "In fact, he has just boasted to me that he has got you where he wanted. He hoped I'd make a story of it."

After a momentary lapse he added, "Your friend — that white livered baboon on the bench — will jump at the chance of humiliating you. You had better get some cool-headed lawyer friend to guide your steps through this muddy puddle."

Within half an hour Judge Toner was in my office. He settled down in a chair and remained seated absent mindedly, rubbing his chin in silence, and staring blankly in front of him. From time to time he let a remark drop — also absent mindedly, addressing no one in particular.

"Hap Hooper tells me they trapped you. Well, my boy, truth telling may be a noble virtue but practicing

it is more injurious than vice, Yes, sir, you have made too many enemies for the short period you have lived, and you should have guarded yourself against the slightest peccadillo. The public enjoys nothing more than the blasting of a good man's reputation. Knavery, like misery, likes company. Now," turning to me and looking straight at me, "on the advice of counsel I want you to keep still about this matter for several days — pay no attention to whatever rumors Keegan and his gang spread about you."

The following day, as I was about to leave my office, Henk came in, his hat cocked on one side, a cigarette in the corner of his mouth, one shoulder hoisted higher than the other, and, sniffing the air, shambled in with, "Hello, old man! I've just heard them guys are circulating nasty reports about you —;" and he let loose a volley of epithets descriptive of Keegan.

Presently he sat down and, offering me a cigar, continued. "You've always thought I was agin' you but you are mistaken. I've always liked you. You can't play the game because you are on the square. Even Mark has a high regard for you. When he heard of this Mark says to me, 'Go and tell Guy,' says he, 'if he needs any help I'll give it to him.'"

"I thought Leffingwell disliked me," I said.

"He doesn't like you because you wouldn't play in his yard" — Henk displayed his golden teeth and tittered — "but he has a great opinion of you. He'll do anything to help you."

I thanked him rather wistfully.

"I know what Keegan wants," Henk said, moving closer to me. "He isn't after revenge — blackmail is his game — and his blackmailing is always within the law, you may be sure of that — nothing for which you could

get him indicted. He plays the game right: Crook on the inside, reformer on the outside — you get my point? At Bar meetings he always has some scheme for purifying the Bench and Bar — just like his friend Judge Screech — and incidentally gets a write-up in the papers and is put on all sorts of civic committees. No one knows Pat better than I do. I've worked with him; and I'll deliver him into your hands as Delilah delivered Samson into the hands of the Philistines."

"You are quite a Bible scholar," I remarked jocosely, wondering at his frequent references to the Bible.

"I've learned it from Pat"; and, laughing, displayed his golden teeth. "Pat always quotes scripture."

Following Toner's mandate I told Henk that he had better see the Judge.

"There is a man for you," Henk burst out eloquently. "Toner is all gold — not a particle of dross. They can talk about his boozing but I'd rather have him drunk than all the rest of those glib hypocrites sober. And he is as straight as a die — no subterranean work with Toner — even Mark trembles when he gets into his court room."

Assuring me once again that he would deliver the enemy into my hands Henk departed.

## XLIX

SEVERAL days later Henk tripped into my office jauntily, with a movement as if he were dancing a "cake walk," his hat on an angle, one shoulder hoisted, the indispensable cigarette at a corner of his mouth.

"Top of the mornin' to you"; and he winked. Then he straightened his shoulders, thrust his chest forward, and assuming a solemn countenance proceeded in imita-



tion of a preacher, "And the Lord of hosts hath delivered thine enemies into thy hands."

A moment later he added, "Yes, sir, we've got him. If he doesn't lay off he'll have to face the court for blackmail. You get me?"

I pleaded denseness.

"You certainly are dense, me friend," he resumed. "It was as easy as taking the coin from Jim Croak — you remember?" Henk laughed lustily. "I invited Pat to Mark's private office to discuss an adjustment of your matter. I played the sympathetic act about your engagement to Miss Halsted and that kind of stuff. Finally I said, 'Pat, let's be frank, what do you want?' 'You know what I want,' says he. 'Your usual ten thousand?' says I. 'Yep,' says he. 'Too much,' says I. 'John Powers will raise it for him,' says he and winks. Well, Guy, you should have seen me then. Honest, it's me instead of you who should write stories. I spoke to him of the damage to your reputation his rumors had already done you. Honest, he is the most heartless sucker I've ever seen in my life. He grinned from ear to ear. 'So it worked,' he said gleefully. 'Well, I can then afford to throw off five thousand,' says he. 'My client will pay the difference.' 'But, honest,' says I, 'the boy can't raise five — three is the most he can scrape together.' 'But if I get five I'll only have three left,' says he. 'We have promised that fellow Carl Fairchild two thousand for getting the goods on Stillwell,' 'Well, leave Fairchild to me,' says I. 'I'll fix him.' Then Pat became stubborn. 'Five thousand or nothing,' says he. 'Now what will you do if he doesn't pay a cent?' I asked him. 'Well, if Stillwell doesn't pay five thousand he'll get ten thousand worth of notoriety. It's for him to choose. Five thousand to me or nothing and notoriety.'"

"With that I stepped back and threw a door open into the next room, where a dictaphone was installed, fixed up with three receivers, one of which was held by Judge Toner, another by Arthur Dustin, and the third by one of our expert stenographers, who had taken down every word Pat had uttered.

"Now," says I, pointing to the three with the receivers at their ears, 'Pat, it's for you to choose: to let Stillwell alone or a bit of notoriety for yourself.'

"Keegan got up, his shifty eyes moving from side to side, and muttered, 'You dirty whelp!'

"'Look out,' says I, giggling like a school girl, 'this, too, gets into the dictaphone. You might as well take your medicine like a man,' says I, 'the same medicine you have administered to others.'

"You should have seen Pat strut out of the office without another word. I can still hear the slam of the door!"

## L

FATE seems to have always played hide and seek with me. Whenever I decided to abandon my legal career something independent of myself interfered with my resolution. Never was I more bent upon making an end of my ill-chosen vocation than on that day. I left Henk with that determination in my mind.

When I left my office I recalled that I was to have dinner at Mary's. At the thought of Mary, of our approaching marriage, I began to waver. For in order to change my career at this stage I would have to explain to her many things of which I preferred to have her ignorant. I wished to spare her the sordidness of this

miserable business. I dreaded the thought of having her disillusioned. Besides, I remembered that though she had been very exuberant and cheerful the evening before I could feel a note of constraint, of unnaturalness in her, a trait wholly foreign to her nature. When I stood before her face to face, my erstwhile resolution fled. I could not bear to inflict upon her even a momentary pain.

Moreover, she seemed even happier than usual. She was more demonstrative than ever. She treated me that evening as if I were a sick child convalescing; as if I needed tenderness. I was conscious of the same treatment the evening before.

"Nothing is worrying you," she repeated again and again, looking into my eyes as if she were searching my innermost soul.

I assured her that I was supremely happy.

"Then why that deep wrinkle between your eyes?" she urged, smoothing it lovingly with her finger.

"The result of past broodings." I resorted to a subterfuge.

But what true lover ever kept a secret from his beloved? She made attacks upon my secretive chamber from every angle until, finally weakened, I blurted out that I had had an unpleasant experience but that it had passed and nothing was worrying me now.

Then followed merited reproaches. Her face clouded as she looked intently at me and said, "Haven't we agreed to have no secrets from each other?"

"But I wanted to spare your feelings?" I pleaded. "And you might have misconstrued my action."

"You feared I might have doubted your honor?" she demanded with a painful expression on her sweet countenance. And before I had a chance to reply she exclaimed "O, Guy!" and placing her hands upon my

shoulder she fixed her misty eyes upon mine as if demanding an explanation for entertaining such a thought.

Presently she disappeared for a moment and soon returned with a letter in her hand.

"I received this three days ago," she said, handing me the letter.

It was anonymous. A glance at it told me who the sender was. I knew Pat Keegan's methods too well. Knowing of my betrothal to Mary he had hoped to accomplish his blackmail more easily by this means. He told her that unless I obtained ten thousand dollars quickly I was in great danger of being dishonored and of dishonoring the one dearest to me.

"And in spite of this you never doubted my honor! And if I had not told you tonight of my unpleasantness you would not have mentioned it at all? O, Mary, I am not worthy of you — I have always known I wasn't worthy of you." I could hardly check my tears.

"You foolish boy, as if I could have ever loved you if I doubted your honor and honesty. I knew you too well. You may blunder but can never do intentional wrong."

## LI

I HAVE heard it said that no one can make an appreciable success at a calling, or business, unless he love it. I am a living contradiction to this statement. No one detested his means of livelihood more than I did the practice of law — nay, in my heart of hearts I was frequently ashamed of it — and yet the tide of prosperity turned in my favor just at the time when I most despised it. The sudden change in my material fortunes seemed like a miracle.

At first I tried to account for this sudden change by the fact of my happy union with Mary, but the more I analyzed the situation the more prone was I to doubt it. I finally reached a superstitious conclusion. I saw in my present prosperity the finger of God. How else could I explain the unexpected wave of lucrative practice? To what other cause could I attribute the fact that clients whose business I had in vain coveted now came to me unsolicited?

Before long, instead of the poor man's lawyer, I had become a little brother of the rich. Men of affairs sought my legal advice and retained me to carry through "deals" for them; people whom I had met socially, but never in a business way, dropped in to consult me. My practice had quickly grown to astonishing proportions. The largest yearly income I had ever had before my experience with Fairchild amounted to three thousand dollars, the year following netted me ninety-seven hundred.

The second year proved a still greater temptation. Sixteen thousand dollars in one year for a man who had never dreamt of being able to earn five! This seemed real opulence. The third year netted me a little better than thirty thousand dollars. And though I could never fathom the vulgarity of purse-pride yet I had become conscious of the ease and self-sufficiency that affluence gives. I felt the exhilaration of abundance.

I continued this Hyde and Jekyll existence until one day — yes, it was the unforgettable November eleventh, 1918, the day of the armistice. Besides the great joy of the occasion a fee of five thousand dollars had added a bit of cheer that morning.

In the afternoon, my office help having gone to join in the jubilee, I was leisurely seated at a point of vantage (my offices faced The Square), drawing at my pipe and

thinking. My thoughts were desultory, fugitive, vaguely connected. The erstwhile slaughter, the victory, the consequences, the meaning of the hysteria before my eyes — a jumble of loose threads. My mind reverted to crime. It struck me as paradoxical to shudder at a murder and at the same time be thrilled because we had helped destroy millions. The arbitrariness of it all — the arbitrariness of the so-called laws of civilization!

In the midst of my musing Herbert Romney dropped in. It was he who had sent me the five thousand dollar fee earlier in the day. I made his acquaintance while in the employ of Nixon, Wright, Croak & Powers.

Romney was at the head of a prosperous manufacturing concern and devoted a great deal of time to his church and other philanthropic activities. He was very upright along conventional lines. He was the type of man who would give the largest contribution toward a fund for pensioning aged clergymen or for missionary work in China, but would not hesitate to underpay his employees or squeeze out an undesirable director from his corporation for selfish reasons. Although I am sure he had never analyzed his acts, he drew a very sharp line between business and philanthropy. One instance I recall when he came to see me about filling out his personal tax return — that was before he had become my regular client. A State law had been enacted requiring every personal tax return to show in detail ownership of bonds, stocks, mortgages, etc., etc., and have it sworn to before a notary.

He came in with a tax blank in his hand and asked, "Must I list every bond and mortgage I own?"

"So the law requires," I said, nodding my head.

"My God! I'll have to pay thousands of dollars of

taxes," he exclaimed. "Nobody gives a true statement of his personal property."

"Then don't list them," I said, without concealing my amusement at the situation.

"If I don't list them and I am caught — my God! it's perjury — a penitentiary offense!"

"Then list everything," I said, still smiling.

"Then I'll have to pay a personal tax of thousands of dollars!" he cried with evident exasperation.

"Then don't list them," I seesawed, smiling still more broadly.

"But in case I am caught — "

"Then list everything," I returned.

He was beside himself with evident impatience at my stupidity.

"But you are a lawyer — you ought to know some way out of it!" he finally burst out.

"Mr. Romney," I said quite soberly, "why beat about the bush? One needs no lawyer to answer the simple questions in this blank. You know what's right and wrong as well as I do. But you have come to me in order to ease your conscience and say to yourself, 'My lawyer did it.'"

He did not pause to argue with me. He picked up the blank and dashed out of my office.

I realized that I had lost a good client. While his important matters were still handled by Croak, Coit, Tinker & Brooks (the reorganized firm) he had begun to throw my way small things which might have led up to more profitable business.

After this tax incident he dropped me altogether for a period of two years until the week after my episode with Keegan, when he suddenly turned over to me all his personal legal affairs as well as the business of the

corporation of which he was president. He proved to be my best client. It was really through him that my practice had grown so rapidly.

On this memorable November day he dropped into my office as I was idly musing by the window and watching the hilarious crowd below.

"Isn't this a great sight!" he said joyously, the din of thousands of noise-making objects in our ears, the bizarre spectacle of a joy-mad people before our eyes.

This hysteria was contagious. Although temperamentally neither Romney nor I belonged to the class of men that could ever yield to the self-abandon of a mob in action, the feeling that at last the world had ceased slaughter stimulated high spirits even in us. There was a bit of gayety in Romney's face and his eyes sparkled with unwonted jocundity.

In reply I said something about the jumble of thoughts in my brain.

"I thought you had given up idle dreaming," he remarked laughingly, "and become a regular guy."

"A dreamer never stops dreaming," I rejoined.

"I meant you had become more practical the past few years — you used to be quite an idealist —"

His insinuation pained me.

"I hope I still have ideals," I retorted, with manifest irritation.

"Of course, we all have our ideals. But you used to dwell in the clouds —" he emitted a little laugh, and passed his hand over his stubby gray mustache.

We continued in this vein for some time, I, on my part, trying to disillusion him as regards the abandonment of my ideals.

After a space I said to him, "By the way, why was it that you came back to me after a lapse of two years?"



He looked me squarely in the eye, as if wondering whether or not I really wanted him to answer this question. There was something in his almond-shaped eyes that seemed to say, "Do you really want me to be frank?"

Finally he said, "Well, it's like this. I always thought you had a million dollars' worth of brains but not a cent's worth of common sense" — he gave another little laugh — "I mean when I first met you at Nixon, Wright's you were just an unpractical star gazer. But when I learned that you had come out of the clouds I said to myself there is my man." Then he added in a conciliatory tone, "You see when I want a lawyer I don't want a preacher. I am quite satisfied with my preacher's sermons," and he laughed blandly.

"What made you think I had come out of the clouds?" I asked with increased curiosity.

He made no immediate reply. He dropped his eyes and glanced at his finger nails, a faint blush appearing on his face, and moved in his seat restively as if my question greatly embarrassed him. Presently he stammered, "Well — you know — the rumor — you know what I mean — about three years ago — the rumor about the Fairchild case —"

He halted from evident confusion.

"So you came to me out of sympathy —"

"No, no, no — ah, sympathy, pshaw! I knew you could take care of yourself. But, you see, you had seemed so straight-laced before that I was afraid — honestly, I was afraid — to consult you on legal matters, but when I found that you knew how to turn a sharp corner when a client was in need — why, that's a horse of a different color —"

I shrank back in my seat as if he had struck me a

sudden blow in the face. For a moment I was robbed of speech. Whatever thoughts passed through my brain were so meshed, so tangled and closely woven that no single thread stood out by itself. I felt my whole frame a-quivering, my fists clenched.

"My God!" I gasped.

"Why, what's the matter?" Romney rose from his seat and looked at me anxiously, strangely.

"So you came back to me because you thought I wasn't straight-laced any more — as you call it — because I could turn a sharp corner —"

I covered my eyes with shame. I could not look Romney in the face. This humiliating realization almost dazed me.

The next moment I was beside myself with rage and indignation. I remember when I jumped up from my chair Romney literally stepped aside, terror on his blanched face. He must have thought I had suddenly gone insane.

"Out with you — clear out of here," I cried, unable to control my temper. "I want none of your business."

I do not know what other rude utterances I then made.

"My dear Stillwell, calm yourself!" Romney, in spite of my insulting invectives, clasped my hands in an effort to pacify me. "On my word of honor as a man, there is no one in the city for whose integrity I have a higher regard than yours —"

"I know — I understand" — I spoke impulsively, madly — "I am your fence — the same as a burglar who carries his loot to his confidential pawnbroker —"

"How you talk! Be rational! A lawyer's business isn't the business of a saint —"

"Yes, yes, I understand," I again interrupted him, my

blood seething with indignation and wounded pride, "you hire a lawyer to do your dirty work —"

"Oh, do be reasonable, Stillwell." There was grim earnestness in his voice. "But you know a business man doesn't consult his lawyer how to obey the law only — any damn fool could tell him that — most frequently the lawyer's task is to get back of the law — you know what I mean. Take for instance the last matter you did for us. The law is as plain as the nose on your face. Of course, the law reads that there can be no combination in restraint of trade. Well, this infernal competition in our line was cutting the guts out of our business. We had to combine and fix prices. We consulted you and you found a way out of it. Now — the way you fixed it — we can laugh at the federal authorities. They can subpoena our books and minutes into court and get nothing on us — you don't call this dishonest?"

My anger suddenly subsided — my anger against Romney — but my anger at myself grew more intense, more acrid, more corroding. All at once it dawned upon me that Romney was quite right. The very matter he spoke of — for which he had sent me the check of five thousand — was the convincing proof. I had drawn contracts between his corporation and other firms that seemed legal on the face of them and yet were clearly in violation of the spirit of the law — in violation of the very intent of the law makers — clearly as criminal, so far as the law was concerned, as grand larceny or embezzlement. Only more harmful. Indeed, I had dropped my ideals.

Romney evidently mistook the meaning of my appeased countenance.

"There is really nothing wrong in this," he resumed in a conciliatory tone. "Law is nothing but a quibbling

game — a sort of game of chess, with the courts as the chess-board. Some politician — in order to please his constituents — or some labor agitator, goes to the legislature of Congress and gets a law passed — invariably drafted by an astute lawyer. That is, one player makes a move. Then it's up to the other lawyers to make the next move and try to checkmate the first. Aren't all your books (he made a sweeping gesture in the direction of my book-case) mere manuals of the game? Of course, no one has any use for a crooked lawyer but no good business man cares for a lawyer who wouldn't be willing to show him a way out of a tight place — you know what I mean."

He gave a laugh as if he had disarmed me against all possible argument.

In truth, he had disarmed me. Had I not been playing this game of chess? How often had I hurled the same charge against the profession at large? But man is so vain, so egotistical, that he can not tolerate an accusation against himself voiced by another even when he knows the accusation to be true. He is prone to knock down any one having the temerity to call him a liar to his face even though he knows in his heart that he has been prevaricating almost daily since infancy.

## LII

WHEN Romney left me I remained seated at the window, wistfully looking down upon the seething masses below but without joy in my heart. All gladness had departed from me. I felt like the idol worshipper whose deity was crushed beyond repair. In vain had I tried to patch and glue and piece together the fragments of my broken shrine — my make-believe shrine. I had wor-

shipped a god who was indestructible. I cherished a false ideal, secretly knowing it was false yet deceiving myself into believing it true. Like many a deluded lover I had shut my eyes to the infidelity of my beloved. At last I could shut my eyes no longer. My beloved had been proven guilty beyond a shadow of a doubt.

As I continued gazing absently at the joy-making throng below there was nothing definite in my mind — nothing but blurred images, disconnected strands of abstract ideas. Soon I felt a great despondency coming over me, filling my heart, enveloping me like a blast of black smoke; an overwhelming sadness possessed me, the sadness that comes to a sensitive soul at the realization of failure. The joyful noises from below — the jangling and the rattling and the tooting and the hooting — the maudlin hysteria of a people intoxicated with triumph — stimulated greater gloom in me. Half dazed the noises reached me as when in my childhood, during a parade or at a circus, I used to stick my fingers into my ears, then jerk them in and out, fascinated by the different keys of the surging sounds. Now I heard only hissing, like that of a distant waterfall; now the boisterousness of a drunken brawl; now the deafening clank of street car gongs; and then the wild roar of a foot-ball field. Sadness in the midst of rejoicings is sadness intensified.

Presently the strands of thought converged and formulated into distinct ideas. I began to meditate on civilization, on law, on the church, on economics, on conscience, on right and wrong, on the eternal verities — fine sounding terms these! Subconsciously it was the sights and sounds before me that provoked this contemplation. This frantic jubilee epitomized the sum and substance of all these euphonious appellations. These phrases had always been to me so pregnant with vital

meaning. Now they seemed lifeless, ineffectual, mere shibboleth. What was the great triumph that this celebration was symbolizing? So-called civilization — the evolution of law — had been proven a farce, the prattlings of the church mere mockery, philosophy so much casuistry, conscience a fable — the eternal verities nothing but froth!

*"And all the people brake off the golden earrings which were in their ears — and Aaron fashioned with a graving tool, after he had made it a molten calf.*

*"And Aaron made proclamation and said, Tomorrow is a feast to the Lord.*

*"And they rose up early on the morrow, and offered burnt offerings, and brought peace offerings; and the people sat down to eat and to drink, and rose up to play.*

*"And the Lord said unto Moses, 'Go, get thee down; for thy people, which thou broughtest out of the land of Egypt, have corrupted themselves.'"*

Thousands of years had passed since people danced around a golden calf, and they were still dancing around it, and celebrating and singing, "These be thy gods!"

Eight millions of innocent men had been slain; half of the globe saturated with blood; vast areas of nature's bloom devastated; every law laid down by man, and said to have been inspired by God, trampled under foot; every principle of economics outraged!

*"And it came to pass, as soon as he came nigh unto the camp, that he saw the calf, and the dancing: and Moses' anger waxed hot, and he cast the tables (of the law) out of his hands, and broke them beneath the mount."*

One link of thought dragged another — reveries, homilies, symbols, fragments of truth. For hours I sat by the window, half in contemplation, half in coma.

While all my thoughts were in the abstract, yet I was the pivot around which they circled. And I? Had not I been dancing around the golden calf like the rest? Where were my ideals, my convictions?

At last all cogitation simmered down to one definite thought: I must destroy the golden calf and grind it to powder. I must purge myself of this idolatry. I had struggled with, and against, myself ever since I had taken up this career; I had battled in vain. I must declare an armistice with myself. Let the tens of thousands play the game of chess with the courts as the chess-board. I must look elsewhere for a career, a career that would give me peace with myself.

I closed my office door with a sigh of relief. At last I felt a burden lifted. I felt free, free of the shackles of jugglery; and a surging joy was filling my being. Ah, the sweetness and the joy of finding one's self after one has groped in darkness in search of his soul! Yes, I had at last found myself.

I made my way through the hilarious crowds with gayer spirit. I was catching the contagious joy of my environments. Besides the armistice the people were celebrating I was celebrating my own armistice. I had signed a peace treaty with my conscience.

### LIII

I WALKED all the way home from my office, a distance of over four miles, buoyant, cheerful, hopeful. I imagine one liberated after long incarceration must feel as I felt then. Mine was a mental liberation from a self-imposed slavery.

The yoke that had burdened my soul was gone. I was free. The holiday air about me stimulated my

rising spirits. And the shadows of twilight on that beautiful November day descended in a mist tinted with the quiet coloring of an autumn sunset, bringing to me the restfulness of peace.

Ascending the steps of my porch, however, I experienced a feeling of hesitation. In a flash came my earlier struggles, my recent prosperity, the many comforts my law practice had given my family in the past few years, and the shock that the announcement of my resolution might bring to my wonderful life companion.

I entered the house almost stealthily. I was turning in my brain the manner of breaking the news to her.

"Hello, Daddie!" the piping sweet voice of one of my youngsters came from upstairs.

I rushed up and kissed mother and child as usual.

"What's the matter? — What's on your mind?" Mary asked almost breathlessly, pausing with the child's night-dress in her hand, and scrutinizing my face apprehensively.

"Why, nothing, dearest — what makes you ask?"

"Now, now, my boy, you know you are a poor prevaricator — there is something on your mind — something is disturbing you. Anything wrong in the office?"

And she came up to me and put her hands on my shoulders, facing me sympathetically, lovingly.

"Nothing wrong in the office," I assured her, making an effort to laugh gaily.

"But what?"

"Nothing."

"I know there is something — "(looking obliquely at me).

"Daddie looks funny," my youngster joined in the conversation, and grabbed me around the legs.

All three of us laughed.



My wife did not press the subject any further and proceeded to put the child to bed; nor did she refer to it during dinner. We discussed the armistice, the future of Europe, the possibilities of Germany, and many other topics of general interest, though I was always conscious of her scrutinizing look.

After dinner, when we got to the living-room and I had filled my pipe, my wife settled on the arm of my chair, put her hand back of my head, and said quietly, "Now tell me all about it."

I was applying a match to my pipe and could not answer instantly.

"Really, nothing happened," I soon began, still at a loss how to put the matter before her. "Nothing, except that I did a lot of thinking today. You see, nobody was at the office, and being alone I sat by the window, watching the crowds and thinking."

I was reciting all this to gain time.

"And then what happened?" — looking eagerly at me.

"Really, nothing. But I was just wondering whether my profession — I mean the law in general — I don't mean the theory but the actual practice of it — is as ideal as some people imagine. I — I was just wondering whether a man nearing his fortieth year and making plenty of money at a calling he doesn't respect has any right — Well, I mean should he close his eyes to his own convictions simply because he is making money —"

"You foolish boy, that's not new — I have known right along that you have been unhappy practising law, and the more money you make the more unhappy you are — why not give it up? You'll be able to earn a livelihood at something more congenial."

"That's exactly what I was thinking about!" I burst out joyously. "How did it happen to occur to you?"

"I haven't lived with you these years for nothing," she said, with a mischievous twinkle in her eye, looking at me now with the indulgence of a mother upon a spoiled, but doting, child, "without knowing that you have been chafing under the demands of your profession."

"Did I ever complain?"

"No, you foolish boy, you never complained"; and she laughed with evident amusement.

After a moment's pause she said absently, "I sometimes wonder how you have managed to get along in the world. In spite of your writing novels and delineating character you know little about human nature — you are so unpractical —"

"You mean I have no right to give up a profession that has given me not only my bread and butter but also luxuries?"

"No, no, my boy." (How tenderly she kept on passing and re-passing her hand back of my neck!) "On the contrary. I want you to give up the law immediately, while you still have the energy of extreme youth. Honestly, I can hardly realize that you are approaching your fortieth birthday. You are just a boy. And there is nothing you couldn't turn to with the freshness and virginity of youth. Do you want to devote your entire time to writing?"

"No," I said. "In the first place, if I write the kind of things that I want to write — popularity or no popularity — I won't be able to earn enough to support you and the children. And I wouldn't train myself to write in the popular vein just to make money — I'd just as well stay in the law business — and, secondly, I don't believe a writer should lock himself up in a room and spin yarns. He should come in contact with men and things — with the rough edges of life,"

"How about building homes for a livelihood and write for the sheer joy of writing — Walt Whitman did that," she suggested.

"Why, sweetheart," I burst out exuberantly, "this is exactly what I was thinking about. How did you guess it? I certainly believe there is such a thing as mental telepathy. You seem to read my very thoughts."

"No, no, not your thoughts but your words," she supplemented, with the same quizzical laugh. "What a boy you are! You have been talking about giving up your profession and taking up the building of homes for a livelihood ever since we were married."

"I — I thought I kept this secret from you — " I said with the shyness of a child caught in the act of lying.

"As if you could keep anything from me"; and she laughed.

Presently she said, "Why do you think I decided to take a course in architecture and house decorating?"

"I thought you did it just as a hobby."

"I took up this course two years ago in order that I might be of assistance to you whenever you give up the law and take up building — "

"Sweetheart! — "

How could I express all the thoughts and feelings that flooded my brain and heart, and all the gratitude I owed my helpmate?

## LIV

NEARLY two years have passed since that memorable evening. Opposite me, on the other side of our large writing table, a lamp between us, my devoted companion is seated, with pencil, ruler, and compass in hand, working on the design of a doorway. There is absolute quiet

in our living-room, the quiet and peace of perfect domestic happiness. From time to time I notice my wife turns her ear (a mother's keen ear) in the direction of the children's bed-rooms, and resumes her work, reassured that all is well. I love the stillness of our living-room at night, with the rows of books in front of me, cheering spirits all. Plato and Emerson fill me with contentment when the base instincts of envy and greed stir within me; Turgenieff and Thackeray, Poe and Stevenson enliven my imagination when I feel it growing dull; Shakespeare and Michael Angelo, Goethe and Balzac spur my ambition when I become conscious of fatigue — they remind me how much one can do if he but have the will. And I work harder and harder, with a consuming passion. For the grèatest joy of life is work, useful work, work that satisfies the worker.

Indeed, since I abandoned my juggling career I have learned the meaning of joyful labor. I have built homes, and seen them grow from foundation to attic. The fascination of building is almost as great as that of creative work. When the last touch of varnish is given to the woodwork, when the last nail is driven, and when, finally, the key is put in the door and turned there is the feeling of writing *Finis* after the last chapter of a book — a feeling that can only be appreciated by people blessed with a creative faculty.

Nor have I neglected my avocation, as Mark Leffingwell would call it. I have written, and "blotted," hundreds of pages, with no thought of merely "pleasing" the masses and, thanks to my building enterprises, with no need of "pot boilers." I have been master of my own thoughts. I have given expression to naught else but what clamored in me for expression. For, after all, whether it is the building of a house, the painting of a

picture, the writing of a book, to please one's self is the highest reward vouchsafed to man.

And the Jugglers? Yes, they are still juggling, and quite profitably. I see by this morning's paper that Judge Silas Screech waxed very eloquent at a Bar meeting the other day and delivered a scathing harangue (and undoubtedly grew red in the face and foamed at the mouth and stuttered from excitement) against the iniquities of the profession, and that the Honorable Pat Keegan followed Judge Screech with a speech bristling with invectives against the prevalence of crime due primarily to the loose methods of certain judges (presumably those who do not truckle to Pat Keegan) and especially to the reprehensible methods of so many members at the Bar. Whereupon the president of the Bar Association, Virgil Tinker (for Mike Toner's prophecy has come true), appointed a committee of three, with the Honorable Pat Keegan as chairman, to investigate the causes of the regrettable conditions of the Bench and Bar.

Poor Mike Toner! He died of apoplexy the day following his re-election, and his good wife has since reopened Schultze's rooming and boarding house.

Mark Leffingwell is still casting pearls before the "swine of twelve," and is shedding crocodile tears when the occasion demands it, and wrests as large verdicts as ever in spite of the valiant efforts of his formidable opponents, Luther Coit and Nelson Brooks. Yes, our old friend Henk is still with Mark. Instead of a mere "runner" he is now chief of Leffingwell's organization. He is attending a Night Law School and when "admitted" hopes to be taken into the "firm."

THE END

